

The Gazette



of India

PUBLISHED BY AUTHORITY

No. 163

NEW DELHI, SATURDAY, APRIL 21, 1962/VAISAKHA 1, 1884

NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 12th April, 1962 :—

Issue No.	No. and Date	Issued by	Subject
133-A	S.O. 963-A, dated 30th March, 1962.	Ministry of Law	Declarations containing the names of the candidates elected in the constituencies referred to therein.
137	S.O. 969, dated 26th March, 1962.	Central Board of Revenue.	The Income-tax Rules, 1962.
138	S.O. 970, dated 2nd April, 1962.	Ministry of Law	To elect a member of the council of States by the members of the Legislative Assembly of Jammu and Kashmir.
139	S.O. 971 to S.O. 974, dated 2nd April, 1962.	Election Commission, India.	Notifications regarding election of a member to the Council of States by the members of the Legislative Assembly of Jammu and Kashmir.
140	S.O. 975, dated 2nd April, 1962.	Do.	The names of the members elected to the House of the People from various Parliamentary constituencies.
141	S.O. 976, dated 2nd April, 1962.	Ministry of Law	Declarations containing the names of the candidates elected to the Council of States.
142	S.O. 977, dated 2nd April, 1962.	Ministry of Home Affairs.	Nomination of members to the Council of States by the President.
143	S.O. 978, dated 2nd April, 1962.	Ministry of Food and Agriculture.	Directions that the power shall be exercisable by the collector of the district of Poona in relation to the prices, stocks and transport of cattle fodder of the varieties specified therein.

Issue No.	No. and Date	Issued by	Subject
144	S.O. 979, dated 3rd April, 1962.	Ministry of Home Affairs.	Nomination of two members to the House of the People by the President, for the Anglo-Indian Community.
	S.O. 980, dated 3rd April, 1962	Do.	Nomination of a member to the House of the People for the Laccadive, Minicoy and Amin-dive Islands, by the President.
145	S.O. 1065, dated 2nd April, 1962.	Ministry of Law	The names of the members of the Council of States elected by the members of the Legislative Assemblies of the States and electoral colleges of the Union Territories.
146	S.O. 1066 to S.O. 1070, dated 4th April, 1962.	Election Commission, India.	Notification regarding election of a member to the Council of States by the members of the Legislative Assembly of Madras.
147	S.O. 1071 to S.O. 1074, dated 4th April, 1962.	Do.	Appointments of Returning Officers and Assistant Returning Officers for the Presidential and Vice-Presidential elections.
148	S.O. 1075, dated 6th April, 1962.	Do.	Appointment of dates for the Presidential election.
	S. O. 1076, dated 6th April, 1962.	Do.	Appointment of dates for the Vice-Presidential election.
149	S.O. 1077, dated 6th April, 1962.	Rajya Sabha Secretariat.	Public Notice of election to the office of Vice-President of India.
150	S.O. 1078, dated 6th April, 1962.	Lok Sabha Secretariat.	Public Notice of election to the office of President of India.
151	S.O. 1079, dated 7th April 1962.	Ministry of Law	Declaration containing the name of the candidate elected to the Council of States to represent the Union Territory of Delhi.
152	S.O. 1080, dated 7th April, 1962.	Do.	Declarations containing the names of the candidates elected to the Council of States.
153	S.O. 1081, dated 7th April, 1962.	Ministry of Finance	Appointment of date on which the State Financial Corporations (Amendment) Act, 1962, shall come into force.
154	S.O. 1082, dated 7th April, 1962.	Election Commission, India.	Appointments of additional Assistant Returning Officers to assist the Returning Officer for the Parliamentary constituency in the Union Territory of Himachal Pradesh.
155	S.O. 1083, dated 9th April, 1962.	Ministry of Home Affairs.	Nomination of a member to the House of the People for a seat allotted to the Andaman and Nicobar Islands, by the President.

Issue No.	No. and Date	Issued by	Subject
156	S.O. 1084 and S.O. 1085, dated 7th April, 1962.	Ministry of Information and Broadcasting.	Approval of films specified therein.
157	S.O. 1132, dated 9th April, 1962.	Ministry of Commerce and Industry.	Appointment of members of the Advisory Commission.
158	S.O. 1133 to S.O. 1137, dated 10th April, 1962.	Election Commission, India.	Notifications regarding election of a member to the Council of States by the Legislative Assembly of West Bengal.
159	S.O. 1138, dated 6th April, 1962.	Do.	Corrigendum to notification No. 464/62, dated 5th February 1962 published as S.O. 395.
160	S.O. 1139, dated 11th April, 1962.	Do.	Corrigenda to notification No. 308/62 dated 2nd April, 1962 published as S.O. 975.
161	S.O. 1140, dated 11th April, 1962.	Cabinet Secretariat	Amendments in the Government of India (Allocation of Business) Rules, 1961.
162	S.O. 1141, dated 12th April, 1962.	Ministry of Steel, Mines and Fuel.	Amendments made in the notification No. S.O. 3095, dated the 29th December 1961.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3—Sub-section (ii)

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).

ELECTION COMMISSION, INDIA

New Delhi, the 9th April 1962

S.O. 1147.—In pursuance of sub-rule (5) of rule 89 of the Conduct of Elections Rules, 1961, the Election Commission hereby notifies the name of the person shown in column 1 of the Schedule below who having been a contesting candidate for election to the House of the People from the constituency specified in the corresponding entry in column 2 thereof, at the election held in 1962, has, in accordance with the decision given today by the Election Commission under sub-rule (4) of the said rule, failed to lodge any account of her election expenses and will accordingly become subject to the disqualification under clause (c) of section 7 of the Representation of the People Act, 1951, on the expiration of two months from the date of the said decision.

SCHEDULE

Name of contesting candidate	Name of constituency
1	2
Shrimati Amritabai Village Raipura, Post Nimbola, Tahsil Burhanpur.	Khandwa

New Delhi, the 10th April 1962

S.O. 1148.—In pursuance of sub-rule (5) of rule 89 of the Conduct of Elections Rules, 1961, the Election Commission hereby notifies the name of the person shown in column I of the Schedule below who having been a contesting candidate for election to the House of the People from the constituency specified in the corresponding entry in column 2 thereof, at the election held in 1962, has, in accordance with the decision given today by the Election Commission under sub-rule (4) of the said rule, failed to lodge any account of his election expenses and will accordingly become subject to the disqualification under clause (c) of section 7 of the Representation of the People Act, 1951, on the expiration of two months from the date of the said decision.

SCHEDULE

Name of contesting candidate	Name of constituency
1	2
Shri Satyanarayan Kemriwal, Ramsagurpara Ward, Raipur.	Bilaspur

[No. MP-P/13/62(1).]

New Delhi, the 11th April 1962

S.O. 1149.—In pursuance of the provisions of sub-section (1) of section 86 of the Representation of the People Act, 1951, the Election Commission hereby publishes a copy of the Election Petition No. 54 of 1962, presented to the Commission on the 9th April, 1962, under section 81 of the said Act, by Shri Banbehari Mohanty, son of late Rangadhar Mahanty resident of village Mantiri, P.O. Sunguda, P.S. Salipur, District and Munsiff Cuttack, Orissa calling in question the election to the House of the People from the Kendrapara Parliamentary constituency of that House of Shri Surendranath Dwivedi, resident of Telengabazar, P. S. Lalbag, District and Munsiff Cuttack, Orissa.

BEFORE THE ELECTION COMMISSION: NEW DELHI

ELECTION PETITION No. ——— OF 1962.

IN THE MATTER OF

A petition under Chapter II of Part VI, of the Representation of the Peoples Act, 1951, (Central Act 43 of 1951);

AND

IN THE MATTER OF

Shri Banbehari Mohanty son of late Rangadhar Mahanty resident of village Mantiri, P.O. Sunguda, P. S. Salipur, District and Munsiff Cuttack, State of Orissa.—*Petitioner.*

Versus

1. Sri Surendranath Dwivedi, son of not known aged about 48 years, resident of Telengabazar, P. S. Lalbag, District and Munsiff Cuttack, State of Orissa.

2. Sri Surendra Mahanty, son of late Lokanath Mahanty, aged about 40 years, resident of Ramgarh, P. S. Lalbag, P.O. Buxibazar, District and Munsiff Cuttack, State of Orissa.—*Respondents.*

The humble petition of the Petitioner above-named.

Most respectfully sheweth:—

1. That the petitioner is an elector in the Election to the House of the People (Lok Sabha) from the Kendrapara Parliamentary Constituency consisting of the Ersama, Tritol, Patkura, Kendrapara, Rajnagar—Mahakalpara, Salepur and Mahanga Constituencies of the Orissa Legislative Assembly.

2. That the President of India by Notification published in the Gazette of India on the 13th day of January, 1962, being Notification No. 464-OR-HP/62, of

the 13th of January, 1962, called upon all the Parliamentary Constituencies of the State of Orissa to elect members to the House of People.

3. That the Government of Orissa in the Home (Election) Department by their Notification dated the 13th of January, 1962, republished the said Notification *inter-alia* stating that the poll should be taken in the said Kendrapara Parliamentary Constituency on the 21st, 23rd and 25th of February, 1962.

4. That the petitioner is an elector of the Kendrapara Parliamentary Constituency comprising of Salepur Mahanga, Kendrapara, Rajnagar-Mahakalpara, Ersama, Patkura, Tirtol Constituencies of the Orissa Legislative Assembly and acted as one of the Counting Agents of Sri Surendra Mahanty, the Respondent No. 2 herein, at Kendrapara on the Twentysixth and Twentyseventh of February, One thousand nine hundred and sixty two.

5. That the polling of the said Kendrapara Parliamentary Constituency took place between 21st February, 1962, and 25th February, 1962, and the counting of the votes was purported to be done on the 26th and 27th of February, 1962 at Kendrapara.

6. That the petitioner states and submits that the alleged recording of votes for the said Constituency as purported to be set out in the form No. 20 appended to the Conduct of the Elections Rules, 1961, were as follows:—

(a) Sri Surendranath Dwivedi the Respondent No. 1 herein ..	99,391
(b) Sri Surendra Mahanty, the Respondent No. 2 herein. ..	99,325
(c) Rejected Votes ..	9,136
(d) Tendered Votes.	17

That besides the above a large number of votes were missing and similarly a certain number of votes had been cancelled illegally which have not been taken into account.

7. That thus the Respondent No. 1, herein Sri Surendranath Dwivedi was illegally, declared to have been elected by a narrow majority of 66 votes only, from the said Kendrapara Parliamentary Constituency.

8. That the petitioner states and submits that the result of the election so far as it concerns the said Sri Surendranath Dwivedi, the Respondent No. 1 herein, the alleged returned candidate, has been materially affected by improper refusal and/or rejection of votes cast in favour of the respondent No. 2 Sri Surendra Mahanty and/or improper, illegal reception of votes which are void in favour of the said Respondent No. 1, Sri Surendranath Dwivedi, in gross violation of Law.

9. That the petitioner verily states and submits that numerous votes have been improperly and illegally received in favour of the Respondent No. 1, herein Sri Surendranath Dwivedi which are void in clear contravention of Rule 56 of the Conduct of Election Rules, 1961, and a large number of votes which were cast in favour of Sri Surendra Mahanty, the Respondent No. 2, herein have been improperly, illegally and *malafidely* refused or rejected which materially affects the result of the election.

10. That the said Sri Surendra Mahanty, the Respondent No. 2, herein was given a notice by Circular No. 561(8) Elec., dated 6th February, 1962, under signature of Sri P. K. Mahapatra, District Election Officer, Cuttack that the counting of votes will take place "in the premises of the S.D.O., Kendrapara Office building" but in fact the counting took place in one of the rooms alleged to be of the Subdivisional Officer, Kendrapara and at a different place outside the premises of the Subdivisional Officer, Kendrapara Office, i.e., in the Municipal Hall of Kendrapara.

11. That the petitioner states and submits that the Municipal Hall, Kendrapara, is an unauthorised place and the counting should never have taken place there.

12. That it is further submitted that the counting having taken place at two different places at a distance from each other and Sri Surendra Mahanty the Respondent No. 2, having had no election Agent it was not possible to maintain an effective watch over the counting in two different places.

13. That when the counting was in progress on the 27th of February, 1962, one Sri P. R. Chandra, one of the Additional District Magistrates of Cuttack and purporting to be an "Assistant Returning Officer" was sitting in the Chamber of the Subdivisional Officer, Kendrapara at a distance from the place of counting.

14. That when the counting was in progress all kinds of mal-practices were being reported to, and in fact there were some counters among others Sri Baikunthanath Parida, Fakir Charan Sahu, Indramoni Pani, Surjyamoni Mahapatra, and the Block Development Officers of Garadpur Block and Marsaghai Block who were functioning as Supervising Officers who had betrayed definite bias against Sri Surendra Mahanty, the Respondent No. 2, being political supporters and/or friends of the Respondent No. 1, and were deliberately resorting to various mal-practices in favour of Respondent No. 1.

15. In fact, during the counting, the record was being incorrectly maintained and it had pointed out to the Presiding Officer that from the ballot box Gopinathpur Booth (Booth No. 9) of Salipur Assembly Constituency, 318 valid votes had been brought out which were in favour of the Respondent No. 2 and 126 valid votes had been brought out in favour of his rival Sri Surendranath Dwivedi, the Respondent No. 1; but while recording the same, it was recorded as 318 votes in favour of Sri Surendranath Dwivedi, the Respondent No. 1, and 126 votes for Sri Surendra Mahanty, the Respondent No. 2. After one of the counting agents of the Respondent No. 2 had pointed out the wrong and fraudulent recording, the Presiding Officer changed the figures after checking. This record was corrected almost after an hour and from this the petitioner believes that such fraudulent recording must have been done in many other cases too; which went undetected and which has materially affected the election.

16. That numerous ballot papers in contravention of sub-rule 2 of Rule 56 of the Conduct of Election Rules, 1961, were illegally and improperly accepted in favour of the Respondent No. 1, Surendranath Dwivedi, whereas under similar circumstances, where the intention of the voter was clear that the said vote was cast for a particular candidate was rejected in case of votes cast in favour of Sri Surendra Mahanty, the Respondent No. 2. Moreover before rejecting any ballot paper under sub-rule 2 of Rule 56, of the said Rules the counting agents of the Respondent No. 2, Sri Surendra Mahanty, were not given reasonable opportunity to inspect the ballot papers, not the grounds of rejection were recorded thereon by the Returning Officer as required under sub-rule 4 of Rule 56 of the said Conduct of Election Rules, 1961.

17. That after the counting was completed it was announced that Sri Surendra Mahanty, the Respondent No. 2, had won the election by a margin of 212 votes and immediately the news was flashed, and all the different News Agencies had got the news. In fact it was published in the Daily Samaj and the Daily Kalinga which are widely circulated dailies of Orissa.

18. That after this announcement the supporters of Sri Surendra Mahanty, the Respondent No. 2, who had assembled and the counting Agents of the said Sri Surendra Mahanty, the Respondent No. 2 herein, left the place of counting in great jubilation and the supporters of Sri Surendranath Dwivedi, the Respondent No. 2, in a body rushed into the Hall solely with the *malafide* object of causing confusion and as a result of which a mele had ensued and the said supporters of the Respondent No. 1, and/or the Respondent No. 1 himself demanded a recount of the votes. That in the meantime the telephone line between Cuttack and Kendrapara had been deliberately disrupted, by the supporters and/or saboteers engaged by the Respondent No. 1, so as to make it impossible for the said Sri P. R. Chandra to contact the Returning Officer i.e., Collector, Cuttack at Cuttack and for the latter to exercise his control over the former.

19. That thereafter a large number of unauthorised persons under the leadership of Sri Surendranath Dwivedi marched to the chamber of the Subdivisional Officer where the said Sri P. R. Chandra, who was purporting to act as the Assistant Returning Officer was sitting and there again there was a mele and in the midst of this chaos, Sri P. R. Chandra and the Subdivisional Officer, Kendrapara shut the door and presumably discussed something.

20. That when they had shut the door the supporters of the Respondent No. 1, struck the door leafs and pulled them making a violent noise and went on shouting that they would break open the door and make the officers sign the declaration, that Sri Surendranath Dwivedi had returned with a margin of 66 votes. Thereafter the door was opened and Sri P. R. Chandra was almost bodily lifted to the place of counting where he was made to sign the announcement and declaration without affording reasonable opportunity to the said Sri Surendra Mahanty, the Respondent No. 2, for a recount under the Rule and without passing any orders on the two petitions filed for recount.

21. That the said Sri P. R. Chandra after having made such illegal act out of fear to his personal safety stayed on in the night at Kendrapara to regularise the matter and in fact he came back to his Headquarters at Cuttack on the 28th February, 1962, evening even though the so-called declaration was made on the evening of the 27th February, 1962, at a distance of only 40 miles from his Headquarters at Cuttack, which is connected by a metalled road.

22. That the petitioner believes that Sri P. R. Chandra had subsequently made some attempt to regularise his illegal action by writing some orders subsequent to his declaration.

23. That Rule 63, of the Conduct of Election Rule, 1961, provides that after the completion of the counting and after the Returning Officer records in Form 20, the total number of votes polled by each candidate and announces the same and after such announcement has been made he shall give reasonable opportunity to a candidate to exercise his right of getting the votes recounted and in this case no reasonable opportunity had been given and even though the petitioner filed two petitions for recounting, none of them had been disposed of till the so-called declaration had been made.

24. That the petitioner is confident that had there been a recount Sri Surendra Mahanty, the Respondent No. 2, would have been declared elected by few thousand valid votes, and who has in fact received a majority of valid votes to declare him elected.

25. That the petitioner further verily states and submits that having regard to the number of tables in which counting was being conducted and the number of counting Agents allowed and/or permitted by the authorities to be present was grossly inadequate and the petitioner therefore verily believes that large number of votes have been improperly and illegally received in favour of the Respondent No. 1, Sri Surendranath Dwivedi which are void and numerous votes of Sri Surendra Mahanty the Respondent No. 2, have been improperly refused and/or rejected which are valid.

That on the 26th February 1962, when the counting was in progress, at about 5-30 P.M. the Electricity did not function, there was total darkness, and in spite of the repeated appeal of the counting agents of the Respondent No. 1 to suspend the counting till adequate alternative lighting arrangements had been made, the counting was continued and the petitioner believes that under cover of darkness a considerable number of ballot papers cast in favour of the Respondent No. 2 were in fact tampered with.

26. That ballot papers which bore marks or writing by which the elector could be identified and/or ballot paper in which no vote was recorded and/or ballot papers in which votes were given in favour of more than one candidate or mark indicating the vote was such that it made it doubtful to which candidate the vote was given and/or the ballot paper was so damaged or mutilated that the identity of the ballot paper could not be established and/or it did not bear marks which is mandatory under Sub-Rule (i) of Rule 38; were counted in favour of the Respondent No. 1 Sri Surendranath Dwivedi.

27. That under similar circumstances mentioned in the last preceding paragraph and where the intention of the voter was clear that the said vote was cast in favour of the Respondent No. 2 the said vote was rejected improperly and illegally.

That before rejecting the said ballot papers under Sub-Rule 2 of Rule 58 of the Conduct of Election Rules, 1961 no opportunity whatsoever was given to the counting agents of the Respondent No. 2 to inspect the ballot papers nor were the grounds for such rejection recorded as is mandatory under sub-rule 4 of Rule 56 of the said Rules.

28. That the petitioner further states that there has been malpractice and/or manipulation in favour of the Respondent No. 1 Sri Surendranath Dwivedi, inasmuch as the vote which were in fact cast in favour of the said Sri Surendra Mahanty, the Respondent No. 2 has been counted to be that of the Respondent No. 1 Sri Surendranath Dwivedi.

29. That at the close of the alleged counting the said Sri P. R. Chandra gave out that there were thirty postal ballot papers to be counted but only twenty five such ballot papers were recorded, in the Form No. 20 and the petitioner believes that the rest of the postal ballot papers said to have been received by the alleged Returning Officer, were fraudulently manipulated by the friends,

relations and the supporters of the said Respondent No. 1, from among the counters, and/or by the crowd of supporter of the Respondent No. 1 who had illegally entered the place of counting in violation of law.

30. That the petitioner therefore submits that having regard to the illegalities and irregularities mentioned in the preceding paragraphs the result of election in so far as it concerns the returned candidate, the said Sri Surendranath Dwivedi the Respondent No. 1 herein has been materially affected by the improper reception of votes which are void and illegal and improper refusal or rejection of votes of the Respondent No. 2 and/or by the non-compliance of the provisions of the Constitution and/or the Representation of Peoples Act, 1951 and/or Rules and/or Orders made thereunder and as such the said Election of the returned candidate Sri Surendranath Dwivedi, the Respondent No. 1 herein is void.

31. That in exercise of the powers conferred by Section 21 and Section 22 of the Representation of Peoples Act, 1951, the Election Commission, by their Notification, dated the 21st September, 1961, purported to authorise (1) Additional District Magistrate, Cuttack (2) Subdivisional Officer, Cuttack (3) Subdivisional Officer, Kendrapara as Assistant Returning Officers of the Kendrapara Parliamentary Constituency.

That at the time when the notification was made there were only two Additional District Magistrates at Cuttack, namely Sri P. K. Mahapatra, O.A.S., and Sri M. P. Rath, O.A.S.

32. That the Government of Orissa by their Notification No. 13775 Gen/16-11-61 posted Sri P. R. Chandra, O.A.S. to the Headquarters station at Cuttack and conferred on him the powers of the Magistrate of the First Class.

That the said Sri P. R. Chandra joined on 1st of December, 1961, at Cuttack.

33. That the petitioner submits that the notification, dated 21st September of 1961, of the Election Commission of India, is illegal in as much as the person or persons appointed to assist the Returning Officer, i.e., the Collector, Cuttack are not specified in accordance with the Law.

34. That the petitioner further states that the notification of the 21st September, 1961, of the Election Commission of India appointed the Additional District Magistrate, Cuttack as the Assistant Returning Officer could not in fact and in law include the Additional District Magistrate Sri P. R. Chandra, O.A.S., in as much as it was only on the 1st of December, 1961, the post of a third Additional District Magistrate of Cuttack was created for the first time and Sri P. R. Chandra posted for the purpose and as such the said notification of 21st September, 1961, did not purport to appoint Sri P. R. Chandra, O.A.S., Additional District Magistrate, Cuttack, whose office was then non-existent. That as such the declaration of the alleged results of Kendrapara Parliamentary Constituency by the said Sri P. R. Chandra, O.A.S., purporting to be the Assistant Returning Officer is illegal and invalid and without authority of law.

35. That the petitioner further states and submits that the election of the alleged Returned candidate, the Respondent No. 1 herein has been materially affected by the non-compliance with the provisions of the Constitution and/or of the Representation of the Peoples Act, 1951 and/or of the rules and orders made under the said Act.

36. That though a large number of voters were enrolled in the "Additional List of Voters" of the Salepur Assembly Constituency, which forms part of the Kendrapara Parliamentary Constituency the said voters were deprived from exercising their right of franchise in general and in particular a large number of voters enrolled in the additional voters list of village Kolagaon-Isalo, Padakollo having its polling booth at Kentalo and voters enrolled in the additional list of voters for the village Ansarpur and also voters enrolled in the said additional list of voters for the village Kulagaon Salo Pada, Kulagaon were deprived and/or prevented from casting their votes in their respective booths at Kulagaon Isalo Lower Primary School Booth and the Asureswar High School Booth due to non-availability of voters list with the Polling Officers of the said Booths.

That the petitioner therefore submits that in so far as the said persons were deprived of their right to vote the result of the impugned elections so far as it concerns the returned candidate, the respondent No. 1 herein have been materially affected by the non-compliance of the Constitution and/or the provisions of the Representation of Peoples Act and/or Rules or Orders made thereunder.

37. That the voters of the Daruora Pada Khamar Sahu under the Rajnagar P.S. forming part of the Rajnagar Mahakalpara Constituency of the Orissa Legislative Assembly which forms a part of the Kendrapara Parliamentary Constituency, came to cast their votes to the Ghadiamal Booth but as the original voters list was not available with the Polling Officer of the said Polling Booth they were deprived and/or prevented from casting their votes. That the petitioner therefore states and submits that as a result of it, the election so far as it concerns the Respondent No. 1 Sri Surendranath Dwivedi, the alleged returned candidate, has been materially affected, having regard to the small margin of votes between the Respondent No. 1 and the Respondent No. 2, by which the said Respondent No. 1, is said to have been elected and/or by the non-compliance of the provisions of the Constitution and/or Representation of People Act and/or orders made thereunder.

38. That the villagers of Braja Bahakud, Ramnagar Paligada, Kochila, Sarumuhin, Gokhakhatai, Satiabati, Cherakani, Mangalpur, Bahakud, Bandhapada, Kumar, Para, Baulpada and Barkenda, who were enrolled in the 1959 additional list of voters under the Mahakalpara Police Station forming a part of the Rajnagar-Mahakalpara Orissa Legislative Assembly Constituency which forms part of the Kendrapara Parliamentary Constituency, were deprived from their right to vote, in as much as the additional list of voters of the said villages was not available with the Presiding Officer. That thus the election of the returned candidate Sri Surendranath Dwivedi, the Respondent No. 1 herein, has materially been affected by the non-compliance of the provision of the Constitution of India and of the Representation of the Peoples Act, 1951 and/or Rules and orders made thereunder having regard to the small margin by which the Respondent No. 1 is alleged to have succeeded.

39. That certain number of voters of the Gulnagar booth in the Kendrapara Assembly Constituency which forms a part of the Kendrapara Parliamentary Constituency were permitted by the Presiding Officer to vote, though their names were recorded in the voters list differently from their actual names, being entries No. 206, 236 and 423 but other voters under similar circumstances were deprived and/or prevented from voting. That the petitioner therefore states and submits that as such the result of the election so far as it concerns the returned candidate Sri Surendranath Dwivedi, the respondent No. 1 herein has been materially affected by the non-compliance with the provisions of the Constitution and/or the Representation of the People Act and/or rules and orders made thereunder.

40. That the voters of the Ranigada booth in Mahanga Assembly Constituency which forms a part of the Kendrapara Parliamentary Constituency were permitted to vote by the Presiding Officer of the said booth in spite of the objections of the Polling Agents of the Respondent No. 2 and even though the hours of the polling were over and as such the result of the election in so far as it concerns the returned candidate Sri Surendranath Dwivedi, the Respondent No. 1 herein is concerned, is void as a result of the non-compliance of the provisions of the Constitution and/or Representation of the Peoples' Act, 1951 and the rules and orders made thereunder.

41. That the polling agent of Sri Surendranath Dwivedi the Respondent No. 1 herein, in the Balisahi Booth of the Salipur Assembly Constituency, which forms a part of the Kendrapara Assembly Constituency, was performing the functions of the "Polling Officer" and was exhibiting the symbol of the Respondent No. 1 and was canvassing for votes in favour of the Respondent No. 1 inside the said Booth illegally and as such the petitioner states that the result of the election so far as it concerns the returned candidate Sri Surendranath Dwivedi, the Respondent No. 1 has been materially affected by the non-compliance with the provisions of the Constitution and/or the Representation of the People Act and/or rules and orders made thereunder.

42. That the petitioner further states and submits that a large number of votes is alleged to be missing from various ballot boxes as recorded in form No. 20 appended to the Rules made under the said Act, by the purported returning officer, in gross violation of the provisions of the said Act and the Rules and Orders issued thereunder and as such the petitioner submits that the result of the elections so far as it concerns the returned candidate Sri Surendranath Dwivedi, the Respondent No. 1 herein have been materially affected by the non-compliance with the provisions of the Act and/or Rules and/or orders made thereunder.

43. That the petitioner further states and submits that the result of the election so far as it concerns the returned candidate Sri Surendranath Dwivedi, the Respondent No. 1 herein is void as a result of the commission of corrupt practice

committed by the said returned candidate or his agent and/or by any other persons with the consent of the said returned candidate.

44. That Sri Padmacharan Naik and Sri Bansidhar Sahu who were agents of the Respondent No. 1 Sri Surendranath Dwivedi with his consent, knowledge and/or connivance hired and/or procured on payment or otherwise bullock carts for conveyance of the electors of the villages of Rahimpur and Khairabag and as such the election of the said Respondent No. 1 Sri Surendranath Dwivedi is void as a result of the commission of the said corrupt practice by himself or by Sri Padma Charan Naik and Sri Bansidhar Sahu his agents or persons with his consent, knowledge and/or connivance.

45. That the said Respondent No. 1 Sri Surendranath Dwivedi published or caused to be published through his agents or any other person with his consent, knowledge and/or connivance, statements of facts in the Booklet "NAKILI CONGRESSIAKU THIKANA JABAB" which are false and which he believes to be false and does not believe to be a true in relation to the personal character and conduct of Sri Surendra Mahanty, the Respondent No. 2 herein which was reasonably calculated to prejudice the prospects of the election of the said Sri Surendra Mahanty, the Respondent No. 2 herein.

46. That the pamphlet referred to in the last preceding paragraph above contains *inter-alia* the following false statements ASHA DEKHIBAHO, RAJANITI TOTU GHORA GANTANTRU TADA KHAI BHARATIA CONGRESSA HOICHI CHERDA KHADARA BASANA CHASAMA NAYANA KHAKHA TALA NOTE BIDHA PATANA RAJAKU PATTI MARI DEI KARUCHI RAHAS KRIDA.

TANKA TARA SARA TANKA HA' THAKURA DASHASEVA NHIN LORDA.

That the petitioner craves to rely on the contents of the booklet captioned "NAKALI CONGRESSKU THIKANA JABAB" the content thereof may please be treated as a part of this petition.

That at the meetings held at Kuanpal on 25th February, 1962, Kendrapara, on the 21st February, 1962, Asureswar on the 19th February, 1962, the Respondent No. 2 was asked various questions in relation to the allegations contained in the said booklet which were false to the knowledge of respondent No. 1.

47. That the Respondent No. 1 Sri Surendranath Dwivedi published or caused to be published through his agents or any other person with his consent, knowledge and/or connivance a booklet under the title "KAHAKU VOTE DEBA" containing statement of facts which are false and which the said Respondent No. 1 either believes to be false or does not believe to be true in relation to the personal character and conduct of the said Sri Surendra Mahanty, the Respondent No. 2 herein which was reasonably calculated to prejudice the prospect of the election of the said Sri Surendra Mahanty, the Respondent No. 2 herein.

That the petitioner craves to rely on the contents of the said booklet which may be treated as a part of this petition. The said pamphlet *inter-alia* contains the following false statements: Surendra Mahantinka Karjya:—Surendra Mahanty setabala Orissara Sharthha birudhara kipari karjya karuthila tapa shetikibala dhara parithila.

Duhinka bhit aru Kahaku: Eka pakhara nyaya, niti oo deshpreme; matro annya pakhara rajaniti khetrera subhidabad oo Orissa droha.

That at the meetings held at Kuanpal on 23rd February, 1962, Kendrapara on the 21st February, 1962, Asureswar on the 19th February 1962, the Respondent No. 2 was asked various questions in relation to the allegations contained in the said booklet which were false to the knowledge of the Respondent No. 1.

48. That on the 19th February, 1962, Sri Deba Jena of Village Chandradeipur and Sri Akuli Behera, Sanatan Mal and Sur Mal, all of Salepur who were agents of the said Respondent No. 1 or persons who acted with the consents knowledge and connivance of the said Respondent No. 1, promised the villagers of Chandradeipur to pay Re. 1 to each voter who would vote for the said Respondent No. 1 and in fact paid the said sums of money, and as such the election of the said Respondent No. 1 is vitiated by commission of corrupt practice of Bribery.

49. That on the 20th February, 1962, the Respondent No. 1 Sri Surendranath Dwivedi went to the village Chandradeipur under Salepur Police Station and administered oath with Mahaprasad to the villagers of the said villages to vote for him and also appealed to the voters of the said village to vote for him on the grounds of his religion, caste and community for furtherance of prospects of the election of the said Respondent No. 1 and for prejudicially affecting the election

of Respondent No. 2 and as such the said election of the said Respondent No. 1 is illegal and void.

50. That the Respondent No. 1 his agent and/or persons with his consent knowledge and connivance in villages of Muabasanta, and Hansadia on 24th February, 1962, promoted or attempted to promote feelings of enmity and hatred between the different class and citizens of India on the grounds of religion, caste and community and openly appealed to the Brahmins of the said villages to vote for the said Respondent No. 1 who was also a Brahmin and openly appealed to the said villagers on the ground of religion, caste and community to vote for the Respondent No. 1 for furtherance of the prospects of election of the said Respondent No. 1 and for prejudicially affecting the election of Respondent No. 2 and as such the election of the Respondent No. 1 is illegal and void.

51. That the petitioner states and submits that having regard to the averments contained in paragraphs 49 to 50, the Respondent No. 1 Sri Surendranath Dwivedi and/or his agents and/or persons with his knowledge, consent and connivance appealed to the voters of the said Constituency to vote for the Respondent No. 1 and refrain from voting for the Respondent No. 2 on the ground of religion, race, caste or community for the furtherance of the prospects of the election of the said Respondent No. 1 and/or for prejudicially affecting the election of the Respondent No. 2, and as such the election of the Respondent No. 1 is void by the commission of corrupt practice within the meaning of Section 123(3) of the Representation of Peoples Act, 1951.

52. That Sri Biroja Prasad Roy, a very close friend and agent of the Respondent No. 1 Sri Surendranath Dwivedi and Sri Dhaneswar Das, and Sri Manicharan Mahanty, on the 24th of February, 1962 at about 10 P.M. went to the village Mirzapur and paid Rs. 100 to Sri Padmcharan Swain for the village Deity and a Deity called Chotrai Thaurani and administered oath to various respectable persons of the said village to vote for the said Respondent No. 1 Sri Surendranath Dwivedi and promised the villagers of Khaira, Chotinatra, Baudia, Kankarail, that whoever would vote for the said Sri Surendranath Dwivedi the Respondent No. 1 herein, would be paid Rs. 2 for each vote, and accordingly gave Rs. 150 to the villagers of Chotinatra, Rs. 150 to the villagers at Bardia and Rs. 130 to the villagers of Khaira and Rs. 130 to the villagers of Kankarail and Baradia thereby directly or indirectly induced the voters of the said villages to vote for the said Respondent No. 1 Sri Surendranath Dwivedi and to refrain from voting in favour of the Respondent No. 2, Sri Surendra Mahanty.

The petitioner therefore submits that the election of the Respondent No. 1, the purported returned candidate is void, as a result of the commission of the said corrupt practice of bribery.

53. That in the village of Dharua the Respondent No. 1 Sri Surendranath Dwivedi and/or his agents and/or any other persons with his consent, knowledge and connivance opened a free feeding centre near the Polling Booth and fed all persons who came to cast vote in the said Booth, thereby offered gratification as a motive or reward to the voters of the said Booth to vote for the said Respondent No. 1 Sri Surendranath Dwivedi and to refrain from voting for the Respondent No. 2 Sri Surendra Mahanty.

54. That on the 8th February, 1962, Sri Surendranath Dwivedi the Respondent No. 1 herein held a public meeting at Ersama and after the said meeting along with his agent, co-workers and agent Sri Prahalad Chandra Das went to the village Achhudaspur and paid Rs. 50 to Sri Babri Majhi for and on behalf of the said villagers and made them promise that they would vote for the said Respondent No. 1 and to refrain from voting for the Respondent No. 2 and further gave promise of gratification to the said villagers by assuring them to sink wells and dig tanks in the said villages and as such the election of the Respondent No. 1 is vitiated by commission of corrupt practice of bribery.

55. That Sri Akuli Behera, Sri Deba Jena and Sri Sanatan Mal who were agents of the Respondent No. 1 or persons who acted with the consent, knowledge and connivance of the said Respondent No. 1 hired or procured the bullock cart of Radhu Kandi of village Balisahi and the Rickshaw of Sri Sura Mallik to convey the voters to and from the Polling stations on 21st February, 1962 and thereby committed the corrupt practice of bribery and as such the election of the said Respondent No. 1 is illegal and void.

56. That on 15th February, 1962, Sri Akulananda Behera, Sri Deba Jena and Sri Babaji Das, who were agents of the said Respondent No. 1 or persons who acted with his consent, knowledge and connivance bribed the voters of village

Balsahi by paying Rs. 20 to the said villagers, and promised to pay four annas per person, to vote for the said respondent No. 1 with the object of directly or indirectly inducing the electors of the said village to vote for the said Respondent No. 1 and to refrain from voting for the Respondent No. 2 and thereby committed the corrupt practice of bribery and as such the election of the Respondent No. 1 is illegal and void.

57. That the Respondent No. 1, his agents and/or by persons with his consent, knowledge and connivance obtained or procured the assistance of Sri Jadunath Kar, a person in Service of the Government in furtherance of prospect of his election. The said Sri Jadunath Kar openly canvassed and induced the voters to vote for the said Respondent No. 1 and as such the election of the Respondent No. 1 is void.

58. That on the 24th February, 1962, Respondent No. 1 Sri Surendranath Dwivedi along with his agents and/or workers Sri Jadunath Kar and Sri Dibakar Kar went to village Harisahi Dhaniganda, and gave Rupees fifty to the said villagers and made them promise on oath to vote for the said Respondent No. 1, and to refrain from voting for the Respondent No. 2 and thereby committed the corrupt practice of bribery.

59. That the security for costs as required under Section 117 of the Representation of the Peoples' Act, 1951 has been duly credited into the Government Treasury and the counterfoil of the Chalan of Rs. 2,000 is enclosed herewith.

PRAYER

In the circumstances the petitioner prays that:

- (a) Sri Surendra Mahanty, the Respondent No. 2 be declared elected as having in fact received a majority of valid votes after scrutiny and recounting of all the votes and/or but for votes obtained by the returned candidate by corrupt practices the said Sri Surendra Mahanty would have obtained a majority of valid votes and declare the said Sri Surendra Mahanty as duly and validly elected, OR
- (b) Declare the election of the returned candidate Sri Surendranath Dwivedi, the Respondent No. 1 herein to be void, AND
- (c) Allow this petition with costs, AND
- (d) Pass such other or further orders as may be just and proper.

Cuttack,
The 7th April, 1962.

By the Petitioner,
Ban Behari Mahanty.

VERIFICATION

I, Sri Ban Behari Mahanty the petitioner above named do hereby verify that the contents of Paragraphs 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 41, 42, 43, 45, 46 and 47 are true to our knowledge, and that the contents of Paragraphs 21, 22, 36, 37, 38, 39, 40, 44, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58 are based on informations which I believe to be true.

Verified at Cuttack on this the 7th day of April, 1962.

PETITIONER,
Ban Behari Mahanty.

BEFORE THE ELECTION COMMISSION, INDIA, NEW DELHI

Sri Ban Behari Mahanty.—*Petitioner.*

Versus

Sri Surendranath Dwivedi and another.—*Respondents.*

AFFIDAVIT.

I, Sri Ban Behari Mahanty, son of late Rangadhar Mahanty resident of village Mantiri, P.O. Sunguda, District Cuttack, Petitioner in the accompanying election

petition calling in question the election of Sri Surendranath Dwivedi (Respondent No. 1, in the said petition) make solemn affirmation and say:—

- (a) that the statements made in paragraphs 44, 45 of the accompanying election petition about the commission of the corrupt practice of conveying voters to and from the polling Booths and the particulars of such corrupt practice mentioned in paragraphs 44, 55 of the same petition are true to my knowledge;
- (b) that the statements made in paragraphs 45, 46, 47, of the said petition about the commission of corrupt practice of publication of statement of facts which are false in relation to the personal character and/or conduct of Respondent No. 2, and the particulars of such corrupt practice given in paragraphs 45, 46, 47 are true to my knowledge.
- (c) that the statements made in paragraphs 48, 52, 53, 54, 56, 58, of the said petition about the commission of Bribery and the particulars of such corrupt practice given in paragraphs 48, 52, 53, 54, 56, 58 are true to my information.
- (d) that the statements made in paragraphs 49, 50, 51 of the said petition about the commission of corrupt practice of Religious and/or caste appeal and the particulars of such corrupt practice given in paragraphs 49, 50, 51 are true to my information.
- (e) that the statements made in paragraph 57, of the said petition above the commission of corrupt practice of obtaining persons in service of the Government and the particulars of such corrupt practice given in paragraph 57 are true to my information.

Signature of deponent.

Solemnly affirmed by Sri Banbehari Mohanty at Cuttack this 7th day of April, 1962 who is identified by Sri and states that the facts stated above are true to his knowledge and information.

Magistrate 1st Class, Cuttack.

[No. 82/54/62.]

New Delhi, the 12th April 1962

S.O. 1150.—In pursuance of the provisions of sub-section (1) of section 86 of the Representation of the People Act, 1951 the Election Commission hereby publishes a copy of the Election Petition No. 40 of 1962, presented to the Commission on the 7th April, 1962, under section 81 of the said Act, by Shri Bashir Ahmed Qureshi, Cultivator, Gondpara, Bilaspur, Tahsil and District Bilaspur, Madhya Pradesh, calling in question the election to the House of the People from the Bilaspur constituency of that House of Shri Satya Prakash, Building Contractor, Dayabhai Marg, Bilaspur Tahsil District Bilaspur, Madhya Pradesh.

BEFORE THE ELECTION COMMISSION OF INDIA, NEW DELHI.

ELECTION PETITION No. 40/1962.

Bashir Ahmed Quresi, aged 54 years son of late Lal Mohammed, by occupation Cultivator, resident of Gondpara, Bilaspur, Tahsil and District Bilaspur (Madhya Pradesh).—*Petitioner.*

| *Versus.*

Satya Prakash, aged 46 years, son of Chandanram, by occupation Building Contractor, resident of Dayabhai Marg, Bilaspur, Tahsil and District Bilaspur (Madhya Pradesh).—*Respondent.*

An Election Petition under section 81 of Representation of the People Act, 1951, challenging the election of the respondent to the House of People from Bilaspur, House of People Constituency No. 13 of Bilaspur district, Madhya Pradesh.

The petitioner begs to state as under:—

1. That the petitioner is an elector of Bilaspur Lok Sabha Constituency his name being entered as an elector in the Bilaspur Legislative Assembly Constituency which forms part of Bilaspur Parliamentary constituency in the Bilaspur

district of Madhya Pradesh His electoral No. is 404 in part No. 24 of Bilaspur Legislative Assembly Constituency

2 That the petitioner was a candidate for election to the House of People from the said constituency viz, Bilaspur House of People Constituency and had submitted 3 nomination papers for the same

3 That the respondent and 3 others namely Sarvashri Jamuna Prasad Verma, Nandkishore Pande and Satyanarain Kemriwal had also filed nomination papers from the said constituency and their nominations were held to be valid. However, they lost to the respondent

4. That the respondent who was also a candidate for election from the said Bilaspur House of People Constituency was declared elected to the House of People on 28th February, 1962 by the Returning Officer, Bilaspur.

5 That on 22nd January, 1962, the date fixed for scrutiny of nomination papers Shri Ramashanker Tiwari, a proposer of the respondent filed a written objection against the nomination of the petitioner.

6 That after hearing the parties, the Returning Officer rejected the nomination paper of the petitioner on the grounds that the Combined Transport Services (Private) Ltd, in which the petitioner held 79 out of 1,140 shares had entered into a contract with the Central Government for carrying of mails in Bilaspur district and that the said contract gave the petitioner a pecuniary interest therein. The Returning Officer further held that the aforesaid contract was a contract for 'Execution of Works' within the meaning of Section 7(d) of the Representation of the People Act.

7 That the petitioner submits that the order dated 23rd January, 1962, passed by the Returning Officer, Bilaspur rejecting the nomination of the petitioner is wrong and improper for the following reasons

- (a) That the contract entered into by the Combined Transport Services (Private) Ltd, Bilaspur with the Posts and Telegraph Department was not and cannot be deemed to be a contract between the petitioner and the Central Government. The Petitioner denies and had denied before the Returning Officer that he had entered into the aforesaid contract in the course of his trade or business;
- (b) That merely by holding some shares in the said Combined Transport Services (Private) Ltd, the petitioner cannot be deemed to be the contracting party,
- (c) That the contract for carrying mails does not amount either to a contract for supply of goods to or for the execution of works undertaken by the Central Government;
- (d) That there was no contract between the petitioner and the Central Government (Posts and Telegraph Department) under Section 7(d) of the Representation of the People Act, 1951, (as amended by Act 58 of 1958) as to incur a disqualification.

8. That the petitioner was in no manner disqualified from being chosen as a member of the House of the People and his nomination paper was not liable to be rejected on any ground and that it has been improperly rejected

9. That the election of the respondent is void under Section 100(1)(c) of the Representation of the People Act, as the nomination of the petitioner has been improperly rejected.

10 That the petitioner has deposited a sum of Rs. 2,000 (Rupees Two Thousand) in Government Treasury at Bilaspur on 30th March, 1962, vide Treasury Challan No. 1, in favour of the Election Commission as security for the cost of the petition and the Treasury Receipt is enclosed herewith as required under Section 117 of the Representation of the People Act, 1951.

11. That the petitioner files herewith a certified copy of the order dated 23rd January, 1962, passed by the Returning Officer, Bilaspur.

Prayer—The petitioner prays that

- (i) The Election of the returned candidate the respondent Shri Satya Prakash be declared void;
- (ii) The petitioner be awarded costs.

BASHIR AHMED QURESHI,
Petitioner.

VERIFICATION.

I, Bashir Ahmed Qureshi, son of Lal Mohammed, do hereby, verify that the statements of facts contained in paragraphs 1 to 11, of the above petition are true to the best of my knowledge. Signed and verified at Bilaspur on this 2nd day of April, 1962.

BASHIR AHMED QURESHI,
Petitioner.

Bilaspur (Madhya Pradesh)

Dated The 2nd April, 1962.

Two copies of the petition and an authority letter in favour of Shri K. G. Ansari, M.A.L.L.B., Pleader Bilaspur to present this petition on my behalf are enclosed.

BASHIR AHMED QURESHI,
Petitioner.

[No. 82/40/62.]

By Order,

K. K. SETHI, Under Secy.

MINISTRY OF HOME AFFAIRS

New Delhi, the 11th April 1962

S.O. 1151.—In exercise of the powers conferred by clause (1) of article 258 of the Constitution, the President, with the consent of the Government of Assam, hereby entrusts also to the Deputy Inspector General of Police, C.I.D., Assam, the Superintendents of Police and the Deputy Commissioners (in charge of Police) under the Government of Assam within their respective jurisdictions the functions of the Central Government in making orders of the nature specified in clause (e) (iv) of sub-section (2) of section 3 of the Foreigners Act, 1946 (31 of 1946), subject to the following conditions, namely:—

- (a) that the functions so entrusted shall be exercised in respect of nationals of Pakistan;
- (b) that in the exercise of such functions the said Deputy Inspector General of Police, Superintendents of Police and Deputy Commissioners (in charge of Police) shall comply with such general or special directions as the Government of Assam or the Central Government may from time to time issue; and
- (c) that notwithstanding this entrustment, the Central Government may itself exercise any of the said functions should it deem fit to do so in any case.

[No. 1/68/61-F.III.]

FATEH SINGH, Joint Secy

MINISTRY OF FINANCE
(Department of Economic Affairs)

New Delhi, the 11th April 1962

S.O. 1152—Statement of the Affairs of the Reserve Bank of India, as on the 6th April, 1962.

BANKING DEPARTMENT

Liabilities	Rs.	Assets	Rs.
Capital paid up	5,00,00,000	Notes	19,47,33,000
Reserve Fund	80,00,00,000	Rupee Coin	2,11,000
National Agricultural Credit (Long-term Operations) Fund	50,00,00,000	Subsidiary Coin	4,32,000
National Agricultural Credit (Stabilisation) Fund	6,00,00,000	Bills Purchased and Discounted :—	
		(a) Internal	
		(b) External	
		(c) Government Treasury Bills	63,10,26,000
Deposits :—			
(a) Government		Balances held abroad*	11,33,31,000
(1) Central Government	73,61,17,000	**Loans and Advances to Governments	95,53,28,000
(2) Other Governments	6,80,10,000	Other Loans and Advances†	152,41,20,000
(b) Banks	86,18,20,000	Investments	167,83,51,000
(c) Others	151,89,66,000	Other Assets	34,62,83,000
Bills Payable	26,65,55,000		
Other Liabilities	58,22,47,000		
RUPEES	544,37,15,000	RUPEES	544,37,15,000

*Includes Cash & Short-term Securities.

**Includes Temporary Overdrafts to State Governments.

†The item 'Other Loans and Advances' includes Rs. 24,74,00,000/- advanced to scheduled banks against usance bills under Section 17 (4) (c) of the Reserve Bank of India Act.

Dated the 11th day of April, 1962.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 6th day of April, 1962

ISSUE DEPARTMENT

Liabilities	Rs.	Rs.	Assets	Rs.	Rs.
Notes held in the Banking Department	19,47,33,000		A. Gold Coin and Bullion :-		
Notes in circulation	2133,05,22,000		(a) Held in India	117,76,03,000	
Total Notes issued		2152,52,55,000	(b) Held outside India		
			Foreign Securities	113,86,07,000	
			TOTAL OF A		231,62,10,000
			B. Rupee Coin		118,76,73,000
			Government of India Rupee Securities		1802,13,72,000
			Internal Bills of Exchange and other commercial paper		
TOTAL LIABILITIES		2152,52,55,000	TOTAL ASSETS		2152,52,55,000

Dated the 11th day of April, 1962.

P. C. BHATTACHARYYA,
Governor.

[No. 3(2)-BC/62.]

A. BAKSI, Jt. Secy.

(Department of Economic Affairs)*New Delhi, the 11th April 1962*

S.O. 1153.—In pursuance of clause (b) of sub-section (1) of section 21 of the State Bank of India Act, 1955 (23 of 1955), read with Regulations 48 and 49(1) of the State Bank of India General Regulations, 1955, the Central Government in consultation with the Reserve Bank of India, hereby nominates Sardar Mohan Singh of the Oriental Building and Furnishing Co., (P) Ltd., Connaught Circus, New Delhi to be a member of the New Delhi Local Board.

[No. F. 8/93/61-SB.]

R. K. SESHADRI, Dy. Secy.

(Department of Economic Affairs)*New Delhi, the 12th April 1962*

S.O. 1154.—In pursuance of clause (aa) of sub-section (1) of Section 10 of the Industrial Finance Corporation Act, 1948 (15 of 1948), the Central Government hereby nominates Shri S. R. Vasavada to be a Director of the Board of the Industrial Finance Corporation of India vice Shri G. D. Ambekar resigned.

[No. F. 2(120)-Corp/61.]

M. K. VENKATACHALAM, Dy. Secy.

(Department of Economic Affairs)**CORRIGENDUM***New Delhi, the 12th April 1962*

S.O. 1155.—In the Schedule to the notification of the Government of India in the Ministry of Finance, Department of Economic Affairs, No. S.O. 734 dated the 6th March, 1962 published in Part II, Section 3—Sub-section (ii) of the Gazette of India dated the 17th March 1962 (No. 11):—

(a) in Part I,—

(i) in item 8, for "Vizagapatnam", substitute "Visakhapatnam";

(ii) in item 13, for "Commissioners" where it occurs for the first time, read "Commissioner";

(iii) in item 14, for "the Extra Assistant Commissioners and the Taxation Officer" substitute "and the Extra Assistant Commissioners";

(b) in Part II, in item 14, under the heading "Central Co-operative Banks", for "Dinapur-Massurhi" read "Dinapur-Massaurhi".

[No. F. 4(67)-C&C/57.]

D. N. GHOSH, Dy. Secy.

(Department of Economic Affairs)**(Office of the Controller of Capital Issues)***New Delhi, the 16th April 1962*

S.O. 1156.—In exercise of the powers conferred by sub-section (1) of section 6 of the Capital Issues (Control) Act, 1947 (29 of 1947), the Central Government hereby exempts the Industrial Credit and Investment Corporation of India Limited from the provisions of sections 3 and 5 of the said Act in respect of the bonds of the value not exceeding the equivalent, of \$ 20,000,000 (Twenty million dollars) executed and delivered by the said Corporation to or on the order of the International Bank for Reconstruction and Development in terms of the Loan Agreement dated the 28th February, 1962, entered into between the said two parties.

[No. R. 184-CCI/62.]

M. K. VENKATACHALAM,
Controller of Capital Issues.

(Department of Revenue)**CUSTOMS***New Delhi, the 21st April 1962*

S.O. 1157.—In exercise of the powers conferred by section 23 of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry the Central Government hereby exempts:

- (a) all goods when imported into India from a foreign country for the purpose of export to Nepal, from the whole of the customs duty leviable thereon under the First Schedule to the Indian Tariff Act, 1934;
- (b) all goods when imported into India from Nepal for the purpose of export to a foreign country, from the whole of the customs duty leviable thereon under the First Schedule to the Indian Tariff Act, 1934;
- (c) all goods imported into India from Nepal for the purpose of export to a foreign country and all goods imported into India from a foreign country for the purpose of export to Nepal, when exported to the foreign country or, as the case may be, to Nepal, from the whole of the customs duty leviable thereon under the Second Schedule to the Indian Tariff Act, 1934:

Provided that in the cases specified in clauses (a) and (b) the importer executes a bond in such form for such amount and with such surety as the Collector of Land Customs or, as the case may be, the Collector of Customs may specify, undertaking to furnish the Collector within a specified period satisfactory proof of the export of the goods to Nepal or, as the case may be, to the foreign country.

[No. 46/F. No. 80/57/60-L.C.I.]

S.O. 1158.—In exercise of the powers conferred by clause (c) of section 157 of the Sea Customs Act, 1878, (8 of 1878), as in force in India and as applied to the State of Pondicherry, the Central Government hereby rescinds Notification No. 137-Customs dated the 29th June, 1957.

[No. 47/F. No. 100/5/62-L.C.I.]

L. S. MARTHANDAM, Under Secy.

**OFFICE OF THE ASSTT. COLLECTOR OF CENTRAL EXCISE AND LAND
CUSTOMS: GOA FRONTIER DIVISION: BELGAUM**

NOTICE*Belgaum, the 6th April 1962*

S.O. 1159.—Whereas it appears that the goods as mentioned in the under-mentioned table, seized in the vicinity of the Indo-Goa border, were imported by land from Goa (Portuguese possessions in India) in contravention of the Rules and Notifications as mentioned against each.

Sl. No.	Date & Place of seizure	By whom detected.	Description of goods	Quantity	Rules contravened
	2	3	4	5	6
1	12-9-61. Market Belgaum.	P.S.I. Market, Police Station, Belgaum	Cloves in four Bags.	249 lbs	Sec 5(1) of the Land Customs Act, 1924 and the Government of India, Ministry of Commerce and Industry Import Con- trol Order No. 17/55 dt. 7-12-55.

2. Now, therefore, any person claiming the goods is hereby called upon to show cause to the Assistant Collector of Central Excise and Land Customs, Goa Frontier Division, Belgaum why the above mentioned goods should not be confiscated under Section 5(3) of the Land Customs Act, 1924 read with Section 167(8) and 168 of the Sea Customs Act, 1878, and Section 3(2) the Imports and Exports Control Act, 1947 and why a penalty should not be imposed on him under Section 7(1) (c) of the Land Customs Act, 1924 read with Section 167(8) of the Sea Customs Act, 1878.

3. If such an owner fails to turn up to claim the above mentioned unclaimed goods or to show cause against the action proposed to be taken within 30 days from the date of publication of this notice in the Government of India Gazette, the goods in question will be treated as unclaimed and the case will be decided accordingly.

[No. VIII(b)10-41/62.]

B. J. SUARES, Asstt. Collector.

MINISTRY OF COMMERCE AND INDUSTRY

New Delhi, the 7th April 1962

S.O. 1160.—The following draft of certain rules to amend the Indian Standards Institution (Certification Marks) Rules, 1953, which the Central Government proposes to make, in exercise of the powers conferred by section 20 of the Indian Standards Institution (Certification Marks) Act, 1952 (36 of 1952) is hereby published, as required by sub-section (1) of the said section for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 1st May, 1962.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

Draft Rules

1. These rules may be called the Indian Standards Institution (Certification Marks) Amendment Rules, 1962.

2. In the Indian Standards Institution (Certification Marks) Rules 1953, for rule 3, the following rule shall be substituted, namely:—

"3. Establishment and publication of Indian Standards and recognition of other standards as Indian Standards.

(1) The Institution shall by means of regulations lay down the procedure to be followed by it—

(a) in establishing the Indian Standards, and in recognising any standard established by any organisation other than the Indian Standards Institution as Indian Standard, in relation to any article or process, and

(b) from time to time, in adding to, amending, varying or rescinding any Indian Standard so established or recognised;

Provided that any Indian Standard established by the Institution at any time before the date on which the regulations come into force, shall be deemed to have been established under the provisions of these rules,

(2) A list of the Indian Standards established by the Institution at any time before the commencement of the regulations shall be published in the Official Gazette as soon as may be, after such commencement, and thereafter a list of Indian Standards established by the Institution and a list of standards recognised by the Institution as Indian Standards, during any quarter, shall be published in the quarter immediately following the quarter to which the list relates.

(3) Indian Standards established by the Institution shall, from time to time, be published by the Institution and copies thereof shall be made available for sale. Copies of standards recognised by the Institution as Indian Standards shall also be made available for sale."

[No. 23(81)-TMP/61.]

ORDER

EXPORT TRADE CONTROL

New Delhi, the 21st April 1962

S.O. 1161.—In exercise of the powers conferred by sections 3 and 4A of the Imports and Exports (Control) Act, 1947 (18 of 1947), as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following further amendment in the Exports (Control) Order, 1958, namely:—

In Schedule I to the said Order—

Under the heading “B. RAW MATERIALS AND ARTICLES MAINLY UN-MANUFACTURED”, for entry (ix) of item B-2(b), the following shall be substituted:—

“(ix) Zircon ores and concentrates including semi-precious variety of zircon stones.”

[No. Export(1)/AM(55).]

M. H. SIDDIQI, Under Secy.

(Branch Secretariat)

Bombay, the 2nd April, 1962.

S.O. 1162.—In exercise of the powers conferred on me under Clause 4 of the Woollen Textiles (Production and Distribution) Control Order, 1960, I hereby make the following amendment in the Textile Commissioner's Notification No. 7/2/61-Control dated the 8th August, 1961 namely—

In para 2 of the said Notification, the following words shall be substituted for the existing words, namely:—

“The maximum retail price shall be marked by every producer in figures not less than 6 millimetres in height on the garments themselves with indelible ink.”

[No. 7/2/62-Control.]

I. B. DUTT,

Industrial Adviser.

(Textile Production).

(Office of the Dy. Chief Controller of Imports and Exports)

(Central Licensing Area)

NOTICE

New Delhi, the 3rd March, 1962.

S.O. 1163.—It is hereby notified that in exercise of the powers conferred by clause 9 of the Import (Control) Order, 1955, it is proposed to cancel the import licences No. E280979/61 dated 18th November, 1961 for Rs. 8,89,047/- for Copper Scrap No. E280789/61 dated 21st November, 1961 for Rs. 29,960/- for Copper Sheets, No. E280042/61 dated 5th December, 1961 for Rs. 49,061/- for Brass, Bronze and similar alloys including the following viz., Wire Rod, Section sheets, Pipe and Tubes and the following manufacturers viz., Rod and Tubes Cut to Shape and size but excluding chemicals or imitation gold and No. E280756/61 dated 23rd November, 1961 for Rs. 2,21,076/- for Zinc Unwrought as per description in the Red Book, granted by the Deputy Chief Controller of Imports and Exports, Central Licensing Area, Janpath Barracks ‘B’, New Delhi to M/s Devi Dayal Metal Industries, Private Ltd., 9B/4, Poorvi Marg, Rajendranagar, New Delhi, unless sufficient cause against this is furnished to the Deputy Chief Controller of Imports and Exports, Central Licensing Area, Janpath Barracks ‘B’, New Delhi within 10 days of the date of issue of this notice by the said M/s. Devi Dayal Metal Industries Private Ltd., or any Bank or any other party who may be interested in these.

2. In view of what is stated above, the said M/s. Devi Dayal Metal Industries Private Ltd., or any Bank or any other party who may be interested in the said licences are hereby directed not to enter into any commitment against the said licences.

3. The grounds on which the aforesaid licences are proposed to be cancelled are given below:—

- (1) M/s. Devi Dayal Metal Industries Private Ltd., are not entitled to the said licences in terms of paragraphs 9 read with paragraph 10(iii) and 13(ii)(b) of Chapter 4 of the Import Trade Control Hand Book of Rules and Procedure 1961, being an associate concern of M/s Devi Dayal Metal Industries, Bombay.
- (2) The transfer of the manufacturing business of M/s Devi Dayal Metal Industries Private Ltd., in favour of M/s Devi Dayal Metal Industries, Bombay is in circumvention of the rules contained in paragraph 97 of Chapter 2 of Import Trade Control Hand Book of Rules and Procedure, 1961.
- (3) The past imports on which the said licences have been obtained, do not qualify for the grant of a licence in terms of paragraph 29(0) of Chapter 2 of the Import Trade Control Hand Book of Rules and Procedure, 1961.

[No. 47-I/1/1-61/QL-I/Pol/CL.A.]

RAM MURTI SHARMA,
Dy. Chief Controller.

(Indian Standards Institution)

New Delhi, the 5th April 1962

S.O. 1164.—In pursuance of sub-regulation (1) of regulation 8 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that eleven licences, particulars of which are given in the Schedule hereto annexed, have been renewed.

THE SCHEDULE

Sl. No.	Licence No. and Date	Period of Validity		Name and Address of the Licensee	Article(s) covered by the Licence	Relevant Indian Standard(s)
		From	To			
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	CM/L—7 27-12-1955	1-4-62	31-3-63	The Pioneer Magnesia Works Ltd., 113/115 Mahatma Gandhi Road, Fort, Bombay.	Magnesium Chloride, Technical	IS : 254—1950 Specification for Magnesium Chloride, Technical.
2	CM/L—120 20-3-1959	1-4-62	31-3-63	M/s. Himalayan Plywood Industries Private Ltd., Tinsukia (Assam)	Tea-Chest Plywood Panels	IS : 10—1953 Specification for Plywood Tea-Chests (Revised)
3	CM/L—162 5-2-1960	1-4-62	31-3-63	M/s National Pipes & Tubes Co. Ltd., Stephen House, 4, Dalhousie Square, East, Calcutta-1.	(a) Naval Brass Rods, Bars & Sections (b) Free Cutting Brass Rods and Bars for Use in Screw Machines. (c) High Strength Brass Rods, Bars & Sections	IS : 291—1951 Specification for Naval Brass Rods, Bars & Sections IS : 319—1951 Specification for Free Cutting Brass Rods & Bars for Use in Screw Machines. IS : 320—1951 Specification for High Strength Brass Rods, Bars & Sections.
4	CM/L—163 5-2-1960]	1-4-62	31-3-63	M/s National Pipes & Tubes Co. Ltd., Stephen House, 4, Dalhousie Square, East, Calcutta-1	(a) Copper Rods for Boiler Stays (b) Copper Bars and Rods for Electrical Purposes.	IS : 288—1960 Specification for Copper Rods for Boiler Stay Bolts & Rivets. IS : 613—1954 Specification for Copper Rods and Bars for Electrical Purposes.

(1)	(2)	(3)	(4)	(5)	(6)	(7)
5	CM/L-170 . 11-3-1960	1-4-62	31-3-63	The Britannia Biscuit Co. Ltd., 15, Taratolla Road, Calcutta-27	Biscuits (Excluding wafer Biscuits) of the following Varieties : Glaxo, Bourbon, Bournvita, Dainty Cream, Nice, Digestive, Orange Cream, Circus, Petit, Beurre, Marie, Cottage Cream, Khasta, Ginger Nuts, Embassy Cream, Thin Arrowroot, Cream Crackers, Nimki, Glaxo Cream, Golden Puff, Cheeselets, Brita, Zesta Coconut Cookies, Club Snax, Finger Cream (Lemon and Banana Flavours) Fruit Cream, Arrowroot Cream.	IS : 1011-1957 Specification for Biscuits (Excluding Wafer Biscuits)
6	CM/L-171 . 11-3-1960.	1-4-62	31-3-65	The Britannia Biscuit Co. Ltd., Reay Road, East, Mazagaon, Bombay-10	Biscuits (Excluding Wafer Biscuits) of the following Varieties : Club Snacks, Nimki, Marie, Petit Beurre, Baby Arrowroot, Zesta, Gingernut, Nice, Digestive, Bourn Vita, Glaxo, Custard Cream, Cottage Cream, Embassy Cream, Banana Finger Cream, Glaxo Cream, Orange Cream, Raspberry Cream, Bourbon, Brite, Binki, Zoological, Cream, Crackers, Thin Arrowroot, Princess, Lemon Cream, Fruit Cream, Glucose	IS : 1011-1957 Specification for Biscuits (Excluding Wafer Biscuits)
7	CM/L-172 . 11-3-1960	1-4-62	31-3-63	M/s Parle Products Mfg. Co. Private Ltd., North Level Crossing, Vile Parle, Bombay-24.	Biscuits (Excluding Wafer Biscuits) of the following varieties : Gluco, Monaco, Bikkies, Korumbha, Khara, PPC	IS : 1011-1957 Specification for Biscuits (Excluding Wafer Biscuits)

8	CM/L—173 11-3-1960	1-4-62	31-3-65	M/s Lily Biscuit Co. Private Ltd. 3, Ramakanta Sen Lane, Ul- tadanga, Calcutta-4.	Biscuits (Excluding Wafer Bis- cuits) of the following varie- ties : Carnival, Lucky, Banana Cream Lova, Thin, Daisy, Nonta, Lily, Zoological, Gem, Bos- ton Cream, Charm, Custard Cream, Malto, Barley, Fruit Cream, Orange Cream, Nice, Marie, Cream Cracker, Rosy, Choice and Chocolate Cream.	IS : 1011—1957 Specification for Biscuits (Excluding Wafer Bis- cuits)
9	CM/L—174 11-3-1960	1-4-62	31-3-65	The Sathe Biscuit & Chocolate Co. Ltd., 820, Bhavani Peth, Poona-2.	Biscuits (Excluding Wafer Bis- cuits) of the following varie- ties : Francis, Orange, Orange Cr- eam, Gluca Lactine, Shrew- sbury, Maltex, Saltex, Esbik.	IS : 1011—1957 Specification for Biscuits (Excluding Wafer Bis- cuits)
10	CM/L—175 14-3-1960	1-4-62	31-3-65	M/s Camlin Private Limited, 210, Lady Jamshedji Road, Mahim, Bombay-16	Ferro Gallo Tannate Fountain Pen Ink (0.1 Percent Iron Content)	IS : 220—1959 Specification for Ferro-Gallo Tannate Fountain Pen Ink (0.1 Percent Iron Content) (<i>Revised</i>)
11	CM/L—176 14-3-1960	1-4-62	31-3-65	M/s Camlin Private Limited, 210, Lady Jamshedji Road, Mahim, Bombay-16.	Dye-Based Fountain Pen Inks, Blue & Red.	IS : 1221—1957 Specification for Dye-Based Fountain Pen Inks (Blue, Green, Violet, Black & Red)

[No. MD/12 : 7.]

S.O. 1165.—In pursuance of sub-regulation (1) of regulation 8 of the Indian Standards Institution (Certification Marks) Regulations, 1955 the Indian Standards Institution hereby notifies that eleven licences, particulars of which are given in the schedule hereto annexed, have been granted authorizing the licensees to use the Standard Mark.

THE SCHEDULE

Sl. No.	Licence No. and Date	Period of Validity		Name and Address of the Licensee	Article/Process covered by the licence	Relevant Indian Standard
		From	To			
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	CM/L—391 20-3-1962	2-4-62	1-4-63	M/s Hindustan Steel Limited, Durgapur Steel Project, P.O. Durgapur-3 Dist. Burdwan (Having their Regd. office at Bihar Sectt. Building, P.O. Hinoo, Ranchi).	Structural Steel	IS : 226—1958 Specification for Structural Steel (<i>Second Revision</i>)
2	CM/L—392 20-3-1962	2-4-62	1-4-63	M/s Hindustan Steel Limited, Durgapur Steel Project, P.O. Durgapur-3 Dist. Burdwan (Having their Regd. office at Bihar Sectt. Building, P.O. Hinoo, Ranchi)	Mild Steel and Medium Tensile Steel Bars for Concrete Reinforcement	IS 432—1960 Specification for Mild Steel and Medium Tensile Steel Bars and Hard-Drawn Steel Wire for Concrete Reinforcement (<i>Revised</i>)
3	CM/L—393 20-3-1962	2-4-62	1-4-63	M/s Hindustan Steel Limited, Durgapur Steel Project, P.O. Durgapur-3, Dist. Burdwan (Having their Regd. office at Bihar Sectt. Building P.O., Hinoo, Ranchi).	High Tensile Structural Steel	IS : 961—1957 Specification for High Tensile Structural Steel
4	CM/L—394 20-3-1962	2-4-62	1-4-63	M/s Hindustan Steel Limited, Durgapur Steel Project, P.O. Durgapur-3, Dist. Burdwan (Having their Regd. office at Bihar Sectt. Building, P.O. Hinoo, Ranchi)	Rivet Bars for Structural Purposes	IS : 1148—1957 Specification for Rivet for Bars Structural Purposes

5	CM/L—395 20-3-1962	2-4-62	1-4-63	M/s Hindustan Steel Limited, Durgapur Steel Project, P.O. Durgapur 3, Dist. Burdwan (Having their Regd. Office at Bihar Sectt. Building P.O. Hinoo, Ranchi).	High Tensile Rivet Bars for Str- uctural Purposes	IS : 1149—1957 Specification for High Tensile Rivet Bars for Structural Purposes
6	CM/L—396 20-3-1962	2-4-62	1-4-63	M/s Hindustan Steel Limited, Bhilai Steel Works, P.O. Bhi- lai-1, Dist. Durg. (Having their Regd. office at Bihar Sectt. Building, P.O. Hinoo, Ranchi)	Structural Steel	IS : 226—1958 Specification for Structural Steel (<i>Second Revi- sion</i>)
7	CM/L—397 20-3-1962	2-4-62	1-4-63	M/s Hindustan Steel Limited, Bhilai Steel Works, P.O. Bhi- lai-1, Dist. Durg. (Having their Regd. Office at Bihar Sectt. Building, P.O. Hinoo, Ranchi)	Mild Steel and Medium Tensile Steel Bars for Concrete Rein- forcement	IS : 432—1960 Specification for Mild Steel and Medium Ten- sile Steel Bars and Hard-Drawn Steel Wire for Concrete Rein- forcement (<i>Revised</i>)
8	CM/L—398 20-3-1962	2-4-62	1-4-63	M/s Hindustan Steel Limited, Bhilai Steel Works, P.O. Bhi- lai-1, Dist. Durg. (Having their Regd. office at Bihar Sectt. Building, P.O. Hinoo, Ranchi)	High Tensile Structural Steel	IS : 961—1957 Specification for High Tensile Structural Steel
9	CM/L—399 20-3-1962	2-4-62	1-4-63	M/s Hindustan Steel Limited, Bhilai Steel Works, P.O. Bhi- lai-1, Dist. Durg. (Having their Regd. office at Bihar Sectt. Building P.O. Hinoo, Ranchi)	Rivet Bars for Structural Pur- poses	IS : 1148—1957 Specification for Rivet Bars for Structural Pur- poses
10	CM/L—400 20-3-1962	2-4-62	1-4-63	M/s Hindustan Steel Limited, Bhilai Steel Works, P. O., Bhilai-1, Dist. Durg. (Having their Regd. office at Bihar Sectt. Building P.O. Hinoo, Ranchi)	High Tensile Rivet Bars for Structural Purposes	IS : 1149—1957 Specification for High Tensile Rivet Bars Structural Purposes

(1)	(2)	(3)	(4)	(5)	(6)	(7)
11	CM/L-402 29-3-1962	15-4-62	14-4-63	M/s Modi Vanaspati Manufac- turing Co., Modinagar, Dist. Meerut.	Stearic Acid, Technical, Grade 3	IS : 1675—1960 Specification for Stearic Acid, Technical.

[No. MD/12:661.]

C. N. MODAWAL,
Head of the Certification Marks Division.

(Indian Standards Institution)

New Delhi, the 11th April 1962

S.O. 1166.—In exercise of the powers conferred by section 21 of the Indian Standards Institution (Certification Marks) Act, 1952 (36 of 1952) read with clauses (a) and (b) of sub-rule (1) of rule 3 of the Indian Standards Institution (Certification Marks) Rules, 1955, the Indian Standards Institution, with the previous approval of the Central Government, hereby makes the following regulations to amend the Indian Standards Institution (Certification Marks) Regulations, 1955, namely:

1. (1) These regulations may be called the Indian Standards Institution (Certification Marks) Amendment Regulations, 1962.
- (2) They shall come into force with effect from 1st May 1962.
2. In the Indian Standards Institution (Certification Marks) Regulations, 1955 (hereinafter referred to as the said regulations), after regulation 3 the following regulations shall be inserted, namely:

"3A Recognition of other standards as Indian Standards.—(1) The Institution may, in relation to an article or process, recognise any standard established by any Institution other than the Indian Standards Institution as an Indian Standard. For this purpose, it shall set up a small committee (hereinafter referred to as Directorate Committee) consisting of Senior Officers of the Institution's Directorate, under the Chairmanship of the Director, to consider from time to time, proposals for recognising other standards as Indian Standards.

- (2) If the Directorate Committee is satisfied, after a preliminary examination that a proposal should be further processed, it shall
 - (a) if the subject-matter of the standard proposed for recognition falls within the scope of work of an existing Sectional Committee of the Institution, consult the Chairman of that Sectional Committee; or
 - (b) if the subject-matter of the proposed standard does not fall within the scope of work of any existing Sectional Committee, but does fall within the scope of work of an existing Division Council, consult the Chairman of that Division Council; or
 - (c) if the subject-matter of the proposed standard does not fall within the scope of work of any of the existing Sectional Committees or Division Councils, consult, if it deems it necessary, one or more experts on the subject in question; and decide whether the proposed standard should be recognised as an Indian Standard.

Explanation—In this sub-regulation, the expressions "Sectional Committee" and "Division Council" shall have the same meanings as in the constitution of the Indian Standards Institution.

- (3) The Institution shall notify in the Official Gazette the recognition of every standard as Indian Standard. The notification shall include the following particulars, namely:
 - (a) Number and title of the recognised Standard;
 - (b) Name and address of the organisation which prepared and established the Standard;
 - (c) Such other particulars as may, from time to time, be determined to be necessary by the Institution.
- (4) Whenever a standard is recognised as an Indian Standard, immediate steps shall be taken by the Institution to prepare and establish an Indian Standard on the subject covered by the standard recognised by it.

3. After regulation 4 of the said regulations, following regulation shall be inserted namely:

"4A. Amendment of a recognised Standard.—(1) The Institution shall notify in the Official Gazette every amendment to a standard recognised as an Indian Standard and the amendment shall be placed on sale in the same manner as an Indian Standard.

- (2) Whenever any amendment is made to a recognised standard, the amendment shall have effect from the date specified in the notification made under sub-regulation (1)."

4. After regulation 5 of the said regulations, following regulation shall be inserted, namely:

"5A. **Cancellation of a recognised Standard.**—(1) The Institution may, by notification in the Official Gazette, cancel any standard previously recognised as an Indian Standard.

- (2) When a recognised standard is cancelled, any licence issued in respect thereof shall be deemed to have lapsed from the date of cancellation of such recognised standard and any such licence which has thus lapsed shall be surrendered to the Institution by the licensee forthwith. In case of such lapsed licence, a part of the marking fee, if paid in advance, proportionate to the unexpired period of the licence, may be refunded to the licensee:

Provided that nothing in this sub-regulation shall apply to the withdrawal or cancellation of a recognised standard for which a corresponding Indian Standard is simultaneously established and a notification to that effect is issued under sub-regulation (3) of regulation 3."

[No. MD/3:1.]

LAL C. VERMAN, Director.

MINISTRY OF FOOD AND AGRICULTURE

(Department of Agriculture)

CORRIGENDUM

New Delhi, the 12th April 1962

ANIMAL WELFARE BOARD (ADMINISTRATION) RULES, 1962

S.O. 1167.—In para 1 of the Ministry of Food and Agriculture (Department of Agriculture) Notification No. 9-10/61-LD, dated the 5th April, 1962, regarding Animal Welfare Board (Administration) Rules, 1962, the figure and letters "21st" may be substituted by the figures and letters "28th".

[No. 9-10/61-LD.]

K. C. SARKAR, Under Secy..

MINISTRY OF RAILWAYS

(Railway Board)

New Delhi, the 10th April 1962

S.O. 1168.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules to amend the Railway Services (Safeguarding of National Security) Rules, 1954, namely:—

1. These rules may be called the Railway Services (Safeguarding of National Security) Amendment Rules, 1962.
2. In rule 6 of the Railway Services (Safeguarding of National Security) Rules, 1954 (hereinafter referred to as the said rules), after the words and figure "Indian Railway Establishment Code, Volume I," the following words and figures shall be inserted, namely:—

"or in Chapters VII, IX and X of the Railway Protection Force Rules, 1959."

3. In the said rules, rule 7 shall be omitted and rule 8 shall be re-numbered as rule 7.

[No. E53RG6-9.]

P. C. MATHEW, Secy.

MINISTRY OF REHABILITATION

(Office of the Chief Settlement Commissioner)

New Delhi, the 7th April 1962

S.O. 1169.—Whereas the Central Government is of the opinion that it is necessary to acquire the evacuee properties specified in the schedule hereto annexed in the state of Punjab for a public purpose being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons.

Now, therefore, in exercise of the powers conferred by Section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954) it is notified that the Central Government has decided to acquire and hereby acquires the evacuee properties specified in the schedule hereto annexed.

THE SCHEDULE

All properties in the state of Punjab which have vested in the Custodian under section 11 of the Evacuee Interest (Separation) Act, 1951, as a result of adjudication by the Competent Officers under the provisions of the said Act upto 31st March, 1962 and in respect of which no appeals have been filed and if filed, have been rejected by the Appellate Officer (Officers) concerned.

[No. 16(18)/58-Prop-II-Comp.]

S.O. 1170.—Whereas the Central Government is of the opinion that it is necessary to acquire the evacuee properties specified in the schedule hereto annexed in the State of U.P. for a public purpose being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons.

Now, therefore, in exercise of the powers conferred by section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire and hereby acquires the evacuee properties specified in the schedule hereto annexed.

A SCHEDULE

All properties in the State of U.P. which have vested in the Custodian under section 11 of the Evacuee Interest (Separation) Act, 1951, as a result of adjudication by the Competent Officers under the provisions of the said Act upto 31st March, 1962 and in respect of which no appeals have been filed and if filed, have been rejected by the Appellate Officers.

[No. 2(21)/Comp. & Prop.61.]

S.O. 1171.—Whereas the Central Government is of the opinion that it is necessary to acquire the evacuee properties specified in the schedule hereto annexed in the state of Rajasthan for a public purpose being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons.

Now, therefore, in exercise of the powers conferred by section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire and hereby acquires the evacuee properties specified in the schedule hereto annexed.

A SCHEDULE

All properties in the state of Rajasthan which have vested in the custodian under section 11 of the Evacuee Interest (Separation) Act, 1951, as a result of adjudication by the Competent Officers under the provisions of the said Act upto 31st March, 1962 and in respect of which no appeals have been filed and if filed, have been rejected by the Appellate Officer.

[No. 22(13)/Comp. & Prop./61.]

New Delhi, the 9th April 1962

S.O. 1172.—Whereas the Central Government is of the opinion that it is necessary to acquire the evacuee properties specified in the schedule hereto annexed in the state of Delhi, Madhya Pradesh, Bihar and Orissa for a public purpose being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons.

Now, therefore, in exercise of the powers conferred by section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire and hereby acquires the evacuee properties specified in the schedule hereto annexed.

A SCHEDULE

All properties in the states of Delhi, Madhya Pradesh, Bihar and Orissa which have vested in the Custodian under section 11 of the Evacuee Interest (Separation) Act, 1951, as a result of adjudication by the Competent Officers under the provisions of the said Act upto 31st March, 1962 and in respect of which no appeals have been filed and if filed, have been rejected by the Appellate Officer.

[No. 22(14)/Comp.&Prop.6.]

M. J. SRIVASTAVA,

Settlement Commissioner & Ex-Officio, Under Secy.

MINISTRY OF WORKS, HOUSING AND SUPPLY

New Delhi, the 4th April 1962

S.O. 1173.—In pursuance of sub-rule (2) of rule 11, clause (b) of sub-rule (2) of rule 14 and sub-rule (1) of rule 23 of the Central Civil Services (Classification, Control and Appeal) Rules, 1957, the President hereby makes the following amendments in the notification of the Government of India in the Ministry of Works, Housing and Supply, No. S.R.O. 635, dated the 28th February, 1957, namely:—

In the Schedule to the said notification—

- (1) in Part II—General Central Services Class III, for the heading “Estate Manager’s Office, Bombay and Calcutta, including Office of Superintendent, Orphangunge Market, Calcutta” and all the entries relating thereto, the following heading and the entries shall be substituted, namely:—

1	2	3	4	5
“Estate Manager’s Offices, Bombay and Calcutta, and the offices of the Assistant Estate Managers, Nag- pur and Simla. All posts	Head of Office	Head of Office	All Director of Estates”	

- (2) in Part III—General Central Services, Class IV, for the heading ‘Estate Manager’s Office, Bombay and Calcutta including Office of Superintendent, Orphangunge

Market, Calcutta" and all the entries relating thereto, the following heading and entries shall be substituted namely:—

1	2	3	4	5
	"Estate Manager's Offices, Bombay and Calcutta, and the offices of the Assistant Estate Managers, Nagpur and Simla. All posts	Head of Office	Head of Office	All Director of Estates

[No. 8/2/62-AV.]

K. N. ZUTSHI, Dy. Secy.

(Department of Rehabilitation)

(Office of the Chief Settlement Commissioner)

New Delhi, the 10th April 1962

S.O. 1174—Whereas the Central Government is of the opinion that it is necessary to acquire the evacuee properties in the state of Delhi specified in the Schedule below for a public purpose, being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons.

Now, therefore in exercise of the powers conferred by Section 12 of Displaced Persons (Compensation & Rehabilitation) Act, 1954, (44 of 1954), it is notified that the Central Government has decided to acquire, and hereby acquires the said evacuee properties (Specified in the Schedule below) :—

THE SCHEDULE

List of urban area in Village Hauzrani & Saqdarpur

Serial No.	Particulars of property		Area		Name of the evacuee with the rights in this property	Remarks
	Khewat No.	Khasra No.	Big.	Bis		
1	84/225 to 228	131 436	3	17	HAUZRANI	
			3	8	Nasib Khan s/o Battu evacuee.	
			7	5		
	81/216 to 220	135 637/393/1	3	2	Rasula s/o Mozafer self 3½	
			0	19	shares and mortgagee 14½	
			4	1	shares Nesib Khan s/o Umer Khan mortgagee. Smt. Amri wd/o Dillaber 2 shares evacuee.	
SAQDARPUR						
34, 77/1308 1320	760, 761/662 223/3	0	8	8	Sultani Begum Mehmooda Begum Razia Begum, Kalsum Begum daughter of Mohd. Qasam Khan, evacuee.	
			8		Mohd. Wasal s/o (2 shares) and Smt. Zabani Begum daughter of Smt. Razia Begum in equal shares 2 shares evacuee. Mohd. Qasam Khan non-evacuee vested in Custodian.	
34, 37	760, 761/662/ 223/2	0				

[No. 13(2)Comp.&Prop./61.]

New Delhi, the 12th April 1962

S.O. 1175.—Whereas the Central Government is of the opinion that it is necessary to acquire the evacuee properties specified in the schedule hereto annexed in the States of Gujrat, Maharashtra, Andhra Pradesh, Madras, Mysore and Kerala for a public purpose being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons.

Now, therefore in exercise of the powers conferred by section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire and hereby acquires the evacuee properties specified in the schedule hereto annexed.

A SCHEDULE

All properties in the states of Gujrat, Maharashtra, Andhra Pradesh, Madras, Mysore and Kerala which have vested in the Custodian under Section 11, of the Evacuee Interest (Separation) Act, 1951, as a result of adjudication by the Competent Officers under the provisions of the said Act, upto 31st March, 1962, and in respect of which no appeals have been filed and if filed, have been rejected by the Appellate Officer.

[No. 1(27)/Comp. & Prop. 61.]

M. J. SRIVASTAVA,

Settlement Commissioner & *Ex-Officio*,
Under Secy.

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 10th April 1962

S.O. 1176.—In exercise of the Powers conferred by section 87 of the Employees State Insurance Act, 1948 (34 of 1948), the Central Government hereby exempts the Damodar Valley Corporation, Sub-station, Howrah, from all the provisions of the said Act, except Chapter V-A, for a further period of one year with effect from the 15th April, 1962.

[File No. 6(15)/62-HI.]

BALWANT SINGH, Under Secy.

New Delhi, the 11th April 1962

S.O. 1177.—The following draft of rules further to amend the Coal Mines Labour Welfare Fund Rules, 1949, which the Central Government propose to make in exercise of the powers conferred by section 10 of the Coal Mines Labour Welfare Fund Act, 1947 (32 of 1947), is published, as required by sub-section (1) of the said section, for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 1st July, 1962.

2. Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

Draft Amendment

1. These rules may be called the Coal Mines Labour Welfare Fund (Amendment) Rules, 1962.

2. In the Coal Mines Labour Welfare Fund Rules 1949, in sub-rule (1) of rule 6—(a) the words “and” at the end of clause (iii) shall be omitted;

(b) after clause (iii) the following clause shall be inserted, namely:—

“(iv) The Chairman, respectively, of the Jharia Mines Board of Health, the Asansol Mines Boards of Health and the Hazaribagh Mines Board; and”

(c) existing clause (iv) shall be re-numbered as clause (v).

[No. 3/29/61-MIL.]

A. P. VEERA RAGHAVAN, Under Secy.

New Delhi, the 11th April 1962

S.O. 1178.—In pursuance of the provisions of sub-paragraph (1) of paragraph 19 of the Employees' Provident Funds Scheme, 1952, made under section 5 of the Employees' Provident Funds Act, 1952 (19 of 1952), and in supersession of the notification of the Government of India in the late Ministry of Labour No. S.R.O. 1859 dated the 24th August, 1955, published in Section 3 of Part II of the Gazette of India of the 27th August, 1955, the Central Government hereby appoints Shri B. K. Bhattacharya, as the Commissioner for the Employees' Provident Fund, with effect from the after-noon of the 31st March 1962, for the territories to which the said Act extends.

[No. 31(512)/58-PF.I.]

New Delhi, the 16th April 1962

S.O. 1179.—In pursuance of clause (e) of sub-paragraph (1) of paragraph 3 of the Employees' Provident Funds Scheme, 1952, the Central Government hereby nominates, in consultation with the Indian National Trade Union Congress, an organisation of employees which has been recognised by the Central Government for the purpose, Shri Ramsinghbhai Verma, Vice President, Indian National Trade Union Congress, Shram Sivr, Indore, as a member of the Board of Trustees (Central Board) in the Vacancy caused by the resignation of Shri A. N. Buch, and makes the following further amendment in the notification of the Government of India in the late Ministry of Labour, No. S.R.O. 1861, dated the 31st October, 1952, as amended by the notification of the Government of India, Ministry of Labour and Employment, No. S.O. 293 dated the 10th March, 1958, namely:—

In the said notification, for entry No. 17, the following entry shall be substituted namely:—

“(17). Shri Ramsinghbhai Verma, Vice-President, Indian National Trade Union Congress, Shram Sivr, Indore”.

[No. 10/11/61-PF. II.]

P. D. GAIHA, Under Secy.

New Delhi, the 12th April 1962

S.O. 1180.—In pursuance of section 17, of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Bombay, in the industrial dispute between the employers in relation to the Messrs Central Provinces Syndicate (Private) Limited, Dolly Dale, Byramji Town, Nagpur and their workmen.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY

REFERENCE No. CCIT 31 of 1961.

Employers in relation to Messrs Central Provinces Syndicate (Private) Ltd., Nagpur.

AND

Their Workmen.

Present.—Shri Salim M. Merchant, Presiding Officer,

APPEARANCES:

For the Employers.—Shri D. P. R. Cassad, Managing Director, Central Provinces Syndicate (Private) Ltd., Nagpur.

For the Employees.—Shri S. O. Gupta, General Secretary, Rashtriya Manganeś Khadan Prantik Kamgar Sangh, P.O. Tirodi. District Balaghat.

STATE: Maharashtra.

INDUSTRY: Manganeśe.

Bombay, the 7th April, 1962.

AWARD

The Government of India by Ministry of Labour and Employment's Order No. 23/9/61-LRII, dated 10th October, 1961, made in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10, of the Industrial Disputes Act, 1947, (Act XIV of 1947), was pleased to refer the industrial dispute between

the parties above-named in respect of the subject matters specified in the following Schedule to the said Order to my adjudication:—

SCHEDULE.

1. Whether the following categories of workmen employed by Messrs Central Provinces Syndicate (Private) Limited, Nagpur, in their mines offices situated at the mines sites in Ukwa, Ramrama, Bharweli and South Tiodi groups of mines of Messrs Central Provinces Manganese Ore Company Limited, Nagpur, are entitled to:—

- (a) revision of wage rates;
 - (b) grant of bonus; and
 - (c) grant of gratuity on retirement;
- and

2. If so, what extent?

Categories of workmen:

- (i) Cashier.
- (ii) Register Clerk.
- (iii) Provident Fund Account Clerk.
- (iv) Grain Clerk.
- (v) Office Peon.
- (vi) Dak and Cash Peon.
- (vii) Grain Measurer.
- (viii) Chowkidar.
- (ix) Dafadar or Camp Supervisor.

2. After the usual notices were issued, Shri S. O. Gupta, General Secretary, Rashtriya Manganese Khadan Prantik Kamgar Sangh, (hereinafter referred to as the Union) filed the written statement on behalf of the workmen dated 24th October, 1961. An application dated 24th October, 1961, was received from the Managing Director C. P. Syndicate (Private) Ltd., in which he stated that during negotiations held at the instance of the Union prior to the date of the Government Order dated 10th October, 1961, referring this dispute to the Tribunal, "an agreement was arrived at regarding increase in wage rates with effect from 1st July, 1960, and grant of bonus. As regards gratuity, it was agreed that it should form a subject of further negotiations with the Union." In the last para of this petition it was stated, "for the foregoing reasons it is requested that the reference be kindly filed or in the alternative a month's time be granted to file a written statement on merits, should that be necessary, on the written statement of the Union."

3. Thereafter, notice was issued on the parties fixing the dispute for hearing at Bombay on 9th February, 1962, to which an application dated 2nd February, 1962, was received from the Managing Director of the C. P. Syndicate (Private) Ltd., asking to be furnished with a copy of the Written Statement of Claim of the Union and asking for an extension of time by a fortnight. A telegram was also received from the workmen requesting for an adjournment and stating that a joint petition dated 6th February, 1962, had already been forwarded. By the joint petition dated 6th February, 1962, the parties requested for a postponement of the hearing by about 20 days, as they were negotiating for a settlement. The hearing was therefore adjourned to 23rd February, 1962, and both parties were served with notices informing them of the adjourned date of hearing, but thereafter both parties by separate telegrams applied for an adjournment on the ground that as polling for the General Elections was to take place in their area on the 22nd and 25th February, they would not be able to attend. The hearing was, therefore, adjourned to 23rd March 1962, and parties were intimated of the same. Thereafter a joint petition dated 22nd March, 1962, was received from the parties, stating that they had settled the dispute on the terms, "incorporated in the Memorandum of Settlement attached herewith". The said joint application and the terms of Memorandum of Settlement are signed on behalf of the workmen by Shri S. O. Gupta, General Secretary, Rashtriya Manganese Khadan Prantik Kamgar Sangh, the Union which had raised the dispute on behalf of the workmen and which is on record in this reference, and on behalf of the Employers, by Shri D. P. R. Cassad, the Managing Director, of the C. P. Syndicate (Private) Ltd., Nagpur. The Memorandum of Settlement, is also signed on behalf of the workmen by Shri (Dr.) S. L. Kashikar, the President Rashtriya Manganese Khadan

Prantik Kamgar Sangh. The parties have prayed that, "the Settlement as contained in the attached Memorandum may please be passed as an award."

4. I, therefore, make an award in terms recorded in the memorandum of settlement, copy of which is annexed hereto and marked annexure "A", only in so far as it covers the subject matters and workmen under reference and to that extent only will the Memorandum of Settlement form part of this Award.

No order as to costs.

Sd./- SALIM M. MERCHANT,
Presiding Officer,
Central Government Industrial
Tribunal, Bombay.

ANNEXURE 'A'

FORM H.

(See Rule 58)

Form for Memorandum of Settlement.

Name of Parties:—

Representing employer(s).—Mr. D. P. R. Cassad, Managing Director, Central Provinces Syndicate (Private) Ltd., Nagpur.

Representing workmen.—(1) Dr. S. L. Kashikar, President. (2) S. O. Gupta, General Secretary Rashtriya Manganese Khadan Prantik Kamgar Sangh, P.O. Tuodi.

Short recital of the case

The Rashtriya Manganese Khadan Prantik Kamgar Sangh had raised certain demands in respect of the confidential employees of the Central Provinces Syndicate (Private) Ltd., employed on its establishment on the Mines of the Central Provinces Manganese Ore Company Ltd. These demands formed the subject matter of conciliation proceedings and are at present pending for adjudication in the Central Government Industrial Tribunal, Bombay, (vide CGIT-31, of 1961). The following Agreement has been reached in respect of this reference.

Terms of Agreement.

Terms of the Agreement reached between the Central Provinces Syndicate (Private) Ltd., and their confidential employees, as represented by Rashtriya Manganese Khadan Prantik Kamgar Sangh (Madhya Pradesh and Maharashtra State) on 22nd March, 1962.

It is agreed that:—

(1) This agreement will cover the confidential employees employed by the Central Provinces Syndicate (Private) Ltd., at its establishments on the Mines of the Central Manganese Ore Company Ltd.

(2) The Management will give increments to its confidential employees on the following scales:—

- (a) 20 per cent. increase in basic pay to those drawing up to Rs. 100 basic pay per month.
- (b) 15 per cent. increase in basic pay to those drawing between Rs. 101, and Rs. 200 basic pay per month.
- (c) 10 per cent. increase in basic pay to those drawing between Rs. 201, and Rs. 300 basic pay per month.
- (d) 7½ per cent. increase in the basic pay to those drawing between Rs. 301, and 500 total emoluments per month. These increments will be retrospective with effect from 1st July, 1960.

(3) In addition to the above the usual annual increments will be given to confidential employees on the increased basic wages revised as in paragraph (1) above with retrospective effect from 1st January, 1961, but any increment already given during 1961, will be adjusted against the total amounts due.

Bonus.

(4) The Management shall pay bonus to its confidential employees on the following conditions:—

- (a) Employees drawing total emoluments upto Rs. 500 a month shall be paid bonus equal to one month's basic pay after the end of every 4th month in the calendar year i.e., at the end of April, August and December. This bonus shall be paid within 3 months of the end of every 4 months period as mentioned above.
- (b) To qualify for a bonus an employee must during the 4 months period put in attendance for a period of not less than 87 days.
- (c) Leave including sick leave granted by the Employer up to the maximum of 21 days in a calendar year shall count as days of attendance for bonus qualifications.
- (d) Basic pay in the case of daily rated confidential workers shall be calculated on the basis of the annexure to this Agreement.
- (e) If an illegal or unjustified strike takes place in an establishment, specified in paragraph (1) above, or any work connected therewith in any 4 month period, no bonus shall be payable in respect of that 4 months period to all who participate in or instigate such strike. If a dispute arises as to whether a strike is legal or justified or illegal or unjustified, application shall be made by the party or parties signing the Agreement to the Regional Labour Commissioner (Central) Nagpur or Jabalpur as the case may be whose decision shall be final.
- (f) This bonus scheme shall be given retrospective effect from 1st January, 1961.

Pay Scale.

(5) The management shall adopt the same pay scales for its confidential employees as are in existence in the current pay schedule of the Central Provinces Manganese Ore Company Ltd.

(6) The Union will assist the Central Provinces Syndicate (Private) Ltd., in regularising the employment of its confidential employees for purposes of increasing efficiency.

(7) This Agreement will remain in force for a period of 5 years from the date of its declaration as an award and during its currency no further demands will be made in respect of the subjects and points covered by this Agreement.

(8) In view of this Agreement the Union withdraws the demand for retiring gratuity. This settlement settles all points of difference between the Central Provinces Syndicate (Private) Ltd., and all its confidential employees represented by the Rashtriya Manganese Khadan Prantik Kamgar Sangh. Demands not dealt with or covered by this Agreement shall be deemed to have been given up.

(9) This Agreement will not apply to employees who are not covered by the definition of "Workman" as presently defined in Section 2(s) of the Industrial Disputes Act 1947, (XIV of 1947).

(10) The following clarifies the position regarding the Contractor's confidential employees:—

- (a) All employees who are not connected directly with production on the Mines of the Central Provinces Manganese Ore Company Ltd., and in addition any other employees of the Central Provinces Syndicate (Private) Ltd., not covered by the above who are employed by them in fulfilment of their contracts with the Central Provinces Manganese Ore Company Ltd., and drawing total emoluments upto Rs. 500 per month.
- (b) The above include all confidential, clerical, office domestic and any other employees over whom the principal Company does not have any control, right of recruitment, employment, promotion, transfer, discharge or dismissal.

(11) This agreement will apply only to those confidential employees who are employed on the establishment of the Central Provinces Syndicate (Private) Ltd., at the Mines of the Central Provinces Manganese Ore Company Ltd.

(12) This Agreement shall be filed in the Central Government Industrial Tribunal, Bombay, for its approval as an award in reference No. CGIT-31 of 1961.

Sd./- S. L. Kashikar,

Sd/-

President.

Managing Director,

R.M.K.P.K. Sangh,

C. P. Syndicate (Private) Ltd.,

(M.P. & Maharashtra.)

Nagpur.

Sd./- S. O. Gupta,

Witnesses 1.

Sd./- P. P. Singh,

General Secretary,

C/o. C. P. Manganese Ore

R. M. K. P. K. Sangh,

Co. Ltd., Nagpur

(M.P. & Maharashtra),

2.

Sd./-

Schedule of Pays for Bonus.—Paragraph 4(d) of the Agreement dated 22nd March, 1962.

Daily Wage	Daily wage \times 25	Assumed D.A.	Monthly basic wage for bonus calculation
Rs.	Rs.		Rs.
1·31	32·75	50%	21·83
1·37	34·25	50%	22·83
1·44	36·00	50%	24·00
1·50	37·50	50%	25·00
1·56	39·00	50%	26·00
1·62	40·50	50%	27·00
1·69	42·25	50%	28·17
1·75	43·75	50%	29·17
1·81	45·25	50%	30·17
1·87	46·75	50%	31·17
1·94	48·50	50%	32·33
2·00	50·00	50%	33·34
2·50	62·50	50%	41·67
3·00	75·00	50%	50·00
3·50	87·50	40%	62·50
4·00	100·00	40%	71·43

Sd./- S. L. Kashikar,

Sd./- D. P. R. Kassad,

Sd./- S. O. Gupta,

[No. 23/9/61-LRII.]

S.O. 1181.—In pursuance of section 17 of the Industrial Disputes Act, 1947. (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Bombay, in the industrial dispute between the employers in relation to the Seori and Chaukhandi Manganese Mines of Messrs. Central Provinces Syndicate (Private) Limited, and their workmen.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY

REFERENCE CCIT No. 1 of 1962.

PARTIES:—

Employers in relation to the Seori and Chaukhandi Manganese Mines of
Messrs. Central Provinces Syndicate (Private) Limited.,

AND

their workmen.

PRESENT:—

Shri Salim M. Merchant,
Presiding Officer.

APPEARANCES:

For the employers.—Shri D. P. R. Cassad, Managing Director, C. P. Syndicate (Private) Ltd., Nagpur.

For the workmen.—Shri S. O. Gupta, General Secretary, Rashtriya Manganese Khadan Prantik Kamgar Sangh.

STATE: Madhya Pradesh.

INDUSTRY: Manganese Mining.

Bombay the 3rd April, 1962.

AWARD

The Central Government by the Ministry of Labour and Employment's Order No. 21/25/61-LRII, dated 22nd December, 1961, made in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, (14 of 1947), was pleased to refer the industrial dispute between the parties above-named in respect of the subject matter specified in the following schedule to the said order to me for adjudication:—

SCHEDULE

"Whether the daily rated staff employed in the Seori and Chaukhandi Manganese Mines of Messrs. Central Provinces Syndicate (Private) Ltd., are entitled to paid festival holidays for Dewali and Holi and if so, from which date?"

2. After the parties had filed their written statements the dispute was fixed for hearing at Bombay on 23rd February, 1962, when an application was received from both parties for an adjournment as they were busy with the elections. The hearing was, therefore, adjourned to 23rd March, 1962, at Bombay on which date neither party appeared but a telegram was received on behalf of the workman stating that the dispute had been settled by mutual negotiations and that the terms of settlement were being forwarded. Thereafter, a memorandum of settlement dated 22nd March, 1962, was received in which parties prayed that an award be made in terms of the settlement stated therein. The terms of settlement are signed on behalf of the employers by Shri D. P. R. Cassad, Managing Director, C. P. Syndicate (Private) Ltd., and on behalf of the workmen by Shri S. O. Gupta, General Secretary, Rashtriya Manganese Khadan Prantik Kamgar Sangh.

3. Under the terms of settlement the daily rated weekly paid staff employed at Seori and Chakhandi Manganese Mines are to be given one paid holiday each on Diwali festival and on Holi festival on their daily rate of wages and this is to have effect from 1959.

4. The terms of settlement appear to me to be fair and reasonable and I therefore make an award in terms of the settlement recorded in the memorandum of settlement reached between the parties dated 22nd March, 1962, a copy of which is attached hereto and which shall form part of this award.

No order as to costs.

Sd./- SALIM M. MERCHANT
Presiding Officer,
Central Government Industrial
Tribunal, Bombay.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY.

FORM-H

FORM OF MEMORANDUM OF SETTLEMENT.

Name of the Parties:—

Representing employer(s).—Shri D. P. R. Cassad, Managing Director Central Provinces Syndicate (P) Limited, Nagpur.

Representing workmen.—Shri S. O. Gupta, General Secretary, Rashtriya Manganese Khadan Prantik Kamgar Sangh, P.O. Tirodi.

SHORT RECITAL OF THE CASE

The Rashtriya Manganese Khadan Prantik Kamgar Sangh had raised demand in respect of workmen of Saori and Chawkhadi Mines of the Central Provinces Syndicate (P), Ltd., Nagpur for paid festival holidays. This dispute was referred for adjudication by the Government to the Central Government Industrial Tribunal at Bombay and is now pending before it vide Ref., No. CGIT-1. of 1962. The parties to this dispute after mutual negotiation have reached the following settlement:—

Terms of Settlement

(1) The parties to the dispute agree that the daily rated weekly paid staff employed at Saori and Chawkhadi Manganese Mines would be given one paid holiday on Divali festival and one paid holiday on Holi festival.

(2) The rate of payment would be equal to the daily rate of wages drawn by the workmen at the time of festivals.

(3) This Settlement will have retrospective effect from the year 1959.

(4) Where in any calendar year referred to in paragraph 3 above, the workmen have received paid holidays on Divali and Holi festivals, the amount paid to them shall be adjusted against the amount due under this Settlement.

(5) In view of this Settlement the parties to the dispute request the Honourable Tribunal that an award may be passed in terms of this Settlement in reference No. CGIT-1 of 1962.

For Workmen.

Sd./-

Sd./-

(S. O. GUPTA),
General Secretary,
Rashtriya Manganese Khadan.
Prantik Kamgar Sangh,
P.O. Tirodi.
Witnesses:—

1 Sd./-

(P. P. SINGH),

C/o. C. P. Manganese Ore Co. Ltd.,
Nagpur.

2 Sd/-

Nagpur,

Dated The 22nd March, 1962.

For the Employers:—

Sd./-

(D. P. R. CASSAD)
Managing Director,
Central Provinces Syndicate
(Private) Ltd.,

[No. 21/25/61-LRII.]

S.O. 1182.—In pursuance of section 17 of the Industrial Disputes Act, 1947, (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Bombay, in the industrial dispute between the employers in relation to the Rajnagar Colliery and their workmen.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY

REFERENCE No. CGIT-23 OF 1961.

PARTIES:—

Employers in relation to the Rajnagar Colliery.

AND

their workmen.

PRESENT

Shri Salim M. Merchant.—*Presiding Officer.*

APPEARANCES:—

For the employers.—Shri M. M. Sapre, Advocate, with Shri S. R. Basu, Manager, Rajnagar Colliery and Shri K. Das Gupta, Welfare Officer, Rajnagar Colliery.

For the workmen.—Shri K. B. Chougule, President, Rajnagar Colliery Mazdoor Sangh, and Shri G. C. Jaiswal, Member, Indian National Mine Workers' Federation's Executive Committee.

STATE: Madhya Pradesh.

INDUSTRY: Coal Mining.

Bombay, the 4th April, 1962

AWARD PART II.

On the joint application of the parties above named dated 8th May, 1961, the Government of India, by Ministry of Labour and Employment's Order No. 4/89/61-LRII, made in exercise of the powers conferred by sub-section (2) of section 10 of the Industrial Disputes Act, 1947, (Act, XIV of 1947), was pleased to refer the industrial dispute between the parties in respect of the subject matters specified in the schedule annexed to the said order, to my adjudication.

2. The subject matter of the dispute, as stated in the schedule, is whether the termination of the services of the 16 workmen named therein was justified, and if not to what relief they were entitled.

3. At the hearing of the dispute at Bombay the parties by a joint application dated 6th January, 1962, filed the terms of settlement which had been reached between them in respect of 14 of the 16 workmen mentioned in the Schedule to the order of reference and by my Award Part I dated 8th January, 1962, I made an award in terms of that settlement. Thus, the cases of only two workmen viz., Shri Badrudin s/o. Mohammed Hanif and Shri Seomangal Singh, thereafter survived for adjudication and at the request of the parties, these cases were fixed for hearing at Jabalpur on 26th March, 1962, and on 31st March, 1962, the parties filed a joint application recording the terms of settlement which had been reached between them in respect of them. A copy of the said joint application of the parties is annexed hereto and marked annexure A. As, in the facts and circumstances of the case, I am satisfied that the terms of settlement are fair and reasonable, I make an award in terms thereof.

No order as to costs.

Sd./- SALIM M. MERCHANT,

*Presiding Officer,*Central Government Industrial Tribunal,
Bombay.BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY
AT JABALPUR.

REF. No. CGIT-No. 23 OF 1961.

Employers in relation to Rajnagar Colliery, P.O. Rajnagar Colliery, District,—Shahdol.

AND

Their workmen represented by the Rajnagar Colliery Mazdoor Sangh, P.O. Rajnagar Colliery, Dist., Shahdol.

May it please the Hon'ble Tribunal.

We, the parties to the dispute, have agreed to the following terms of settlement in regard to the subject matter of the dispute relating to the dismissal of Shri Badruddin and Seomangal Singh.

Terms of Settlement.

1. Agreed that Shri Badruddin will be paid a lumpsum amount of Rs. 2,000, (Rupees two thousand only) in full and final settlement of all his claims. He will not be entitled to reinstatement.

2. Agreed that Shri Seo Mangal Singh will be paid a lumpsum amount of Rs. 1,000, (Rupees One thousand only) in full and final settlement of all his claims. He will not be entitled to any reinstatement.

3. The above said payments will be made within two weeks from the date of settlement.

It is, therefore, humbly prayed that the dispute may kindly be disposed of on the above terms of the settlement and the Hon'ble Tribunal may kindly pass an award in terms of the settlement.

Employers representative

Sd./-

S. R. BASU,
Manager,

Rajnagar Colliery.

Workmen's representatives.

Sd./-

K. B. CHOUGHEE,
President,

Rajnagar Colliery Mazdoor
Sangh.

Sd./- S. M. SINGH,

Vice-President, Rajnagar
Colliery Mazdoor Sangh.

Jabalpur.

Date: The 31st March, 1962.

Before me.

Sd./- SALIM M. MERCHANT,

Presiding Officer,

Central Government Industrial Tribunal,
Bombay.

Camp: Jabalpur 31st March, 1962.

[No. 4/89/61-LRIL]

S.O. 1183.—In pursuance of section 17 of the Industrial Disputes Act, 1947, (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Bombay, in the matter of an application under Section 33-A, of the said Act, from Shri Rambali Tiwari, Mining Sirdar of Kotma Colliery of Associated Cement Co., Ltd., Dist., Shahdol.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY.

Application No. CGIT-3, of 1961, arising out of Reference No. CGIT-29, of 1960, and Ref., No. CGIT-4, of 1961.

PARTIES:—

Shri Rambali Tiwari, Mining Sirdar, C/o. Kotma Colliery Labour Union,
P.O. Kotma Colliery, Dist., Shahdol, M.P.—*Complainant.*

vs.

Messrs. Associated Cement Cos., Ltd., Kotma Colliery, P.O. Kotma Colliery,
Dist., Shahdol, M.P.—*Opposite Party.*

In the matter of a complaint under section 33-A, of the Industrial Disputes, Act, 1947.

PRESENT:—

Shri Salim M. Merchant.—*Presiding Officer.*

APPEARANCES:—

For the complainant.—Shri K. B. Chougule, General Secretary, Kotma Colliery Labour Union, and Shri G. C. Jaiswal, Member, Executive Committee, Indian National Mine Workers' Federation.

For the opposite party.—Shri P. P. Khambatta, Counsel, instructed by Shri G. L. Govil and Shri J. D. Sumariwalla, Personnel Officers.

STATE: Madhya Pradesh.

INDUSTRY: Coal Mining.

Bombay the 4th April, 1962

AWARD

This is a complaint purporting to be under section 33-A, of the Industrial Disputes Act, against the termination of the services of the complainant, who is a workman concerned in the industrial dispute stated above on 10th May, 1961. The complaint is filed on the footing that the provisions of section 33(2) of the Act were violated inasmuch as no application was made to the Tribunal for its approval to the action of the management in terminating the services of the complainant, during the pendency of those disputes.

2. The opposite party's case is that there has been no violation of section 33(2) on its part because the complainant was appointed on 18th December, 1960, as a probationer for a period of six months on the terms and conditions stated in the company's letter to him dated 2nd January, 1961. (see annexure A, to the company's written statement), and that as his services were terminated during the period of probation on his work being not found satisfactory there had been no violation of section 33 of the Act by the opposite party and this complaint was not maintainable.

3. Upon this submission of the opposite party at the hearing of this complaint at Jabalpur on 26th March, 1962 Shri Chougule, appearing for the complainant, applied for permission to withdraw this application with liberty to the complainant to pursue such other legal remedies as may be open to him with regard to the termination of his services. Shri P. P. Khambatta, learned Counsel for the opposite party, had no objection if the complaint was allowed to be withdrawn.

4. The complaint is, therefore, allowed to be withdrawn and shall stand dismissed as withdrawn.

No order as to costs.

Sd./- SALIM M. MERCHANT,
Presiding Officer,
Central Government Industrial Tribunal,
Bombay.

[No. 2/16/61-LRM.]

ORDER

New Delhi, the 11th April 1962

S.O. 1184.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Benalee Colliery and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Calcutta, constituted under section 7A of the said Act.

SCHEDULE

1. Whether Farvashri R. N. Tanija, Overman, Rajaram Singh, Electrician, and Sheoratan Gope, Guard, were dismissed from service by the Benalee Colliery for their omission to comply with the orders of their transfer to Ashakutti Phularitand Colliery. If so, were the dismissals justified? If not, to what relief are the workmen entitled?

2. Did the management of Benalee Colliery stop Shri Subodh Sadhu, General Apprentice, from work, and if so, to what relief he is entitled.

[No. 2/31/62-LRII.]

A. L. HANDA, Under Secy.

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 7th April 1962

S.O. 1185.—In exercise of the powers conferred by sub-clause (vi) of clause (f) of Section 2(1) of the Indian Emigration Act, 1922, (7 of 1922), the Central Government hereby declares the occupations of "Sales Representative" and "Tailor" to be skilled work for the purposes of the said Act.

[No. CPEO/9/62/F. 38(2)PV./61.]

N. R. MUKHERJEE, Attache (PV).

